FEDERAL REGISTER

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TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 721—CORN

PROCLAMATION AND DETERMINATION WITH RESPECT TO MARKETING QUOTAS ON 1954 CROP

Sec.
721.501 Basis and purpose.
721.502 Marketing quotas on 1954 crop of corn.

AUTHORITY: §§ 721.501 and 721.502 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 322, 52 Stat. 38, 49; 7 U. S. C. 1301, 1322.

§ 721.501 *Basis and purpose.* Section 721.502 is issued under sections 301 and 322 of the Agricultural Adjustment Act of 1938, as amended, to proclaim the total supply and normal supply of corn for the marketing year beginning October 1, 1953, and to announce that marketing quotas will not be applicable to the 1954 crop of corn. The findings and determinations made in § 721.502, which are based on the latest available statistics of the Federal Government, show that marketing quotas for the 1954 crop of corn are not required. Accordingly, § 721.502 states that marketing quotas will not be in effect for that crop.

Prior to taking the action herein, public notice was given (18 F. R. 6456) in accordance with the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary of Agriculture was preparing to determine whether marketing quotas would be required for the 1954 crop of corn. All written submissions which were received within the period stated in the notice have been considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 721.502 *Marketing quotas on 1954 crop of corn.* The total supply of corn for the marketing year beginning October 1, 1953, is determined to be 3,961 million bushels. The normal supply of corn for such marketing year is determined to be 3,481 million bushels. The total supply for such marketing year does not exceed the normal supply therefor by more than 20 per centum. The average farm price for corn for each month of the marketing year beginning October 1, 1952, was in excess of 66 per centum of parity. Therefore, marketing quotas shall not be in effect on the 1954 crop of corn.

Issued at Washington, D. C., this 27th day of October 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-9226; Filed, Oct. 30, 1953; 8:51 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO 10-A18]

PART 903—MILK IN ST. LOUIS, MISSOURI, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING OF MILK IN ST. LOUIS, MISSOURI, MARKETING AREA

§ 903.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area. Upon the

(Continued on p. 6865)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order, as amended, effective not later than November 1, 1953. Any delay beyond that date will seriously threaten the orderly marketing of milk in the St. Louis, Missouri, marketing area.

The provisions of the said order are known to handlers. The decision of the Assistant Secretary containing all amendment provisions of this order was issued October 26, 1953. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effective November 1, 1953, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See section 4 (c), Administrative Procedure Act, 5 U. S. C. 1001 et seq.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the St. Louis, Missouri, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (September 1953) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the St. Louis, Missouri, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. Delete § 903.51 (a) and substitute therefor the following:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding delivery period plus the following amounts:

(1) $1.45 from the effective date hereof through January 1954, $1.15 in February and March 1954, and $0.75 in April, May and June 1954.

(2) If the utilization percentage calculated for the second preceding month pursuant to subparagraph (3) of this paragraph is less than 110, add the following amounts in the appropriate specified month:

November	$0.40
December	.20
January	.20
February	.35
March	.25

(3) Divide the total pounds of Class I milk for the month (including the Class I milk in pool plants, except sales of non-Grade A milk outside the marketing area allocated to other source milk, plus the Class I milk sold in the marketing area from non-pool plants) into the total pounds of producer milk for the month.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 28th day of October 1953, to be effective on and after November 1, 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-9246; Filed, Oct. 30, 1953; 8:53 a. m.]

[Docket No. AO 219–A2]

PART 918—MILK IN MEMPHIS, TENNESSEE, MARKETING AREA

ORDER AMENDING ORDER REGULATING HANDLING OF MILK IN MEMPHIS, TENNESSEE, MARKETING AREA

§ 918.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Memphis, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions of said order as hereby amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for such milk, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than November 1, 1953. Any delay beyond that date will seriously threaten the orderly marketing of milk in the Memphis, Tennessee, marketing area.

The provisions of the said order are known to handlers. The decision of the Assistant Secretary containing all

amendment provisions of this order was issued October 26, 1953. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective November 1, 1953, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See section 4 (c) Administrative Procedure Act, 5 U. S. C. 1001 et seq.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, which is marketed within the Memphis, Tennessee, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal of failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who, during the determined representative period (August 1953) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Memphis, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended as follows:

1. Delete § 918.51 (a) and substitute therefor the following:

(a) *Class I milk.* The price per hundredweight for Class I milk for the month shall be the amount set forth in this paragraph for such month opposite the price range within which the basic formula price falls plus or minus any amounts calculated pursuant to paragraph (c) of this section.

Basic formula price range (per hundredweight)	Amount per hundredweight	
	September through February	March through August
Not more than $1.999	$3.48	$3.08
$2 but not more than $2.399	3.88	3.48
$2.40 but not more than $2.799	4.28	3.88
$2.80 but not more than $3.199	4.68	4.28
$3.20 but not more than $3.599	5.08	4.68
$3.60 but not more than $3.999	5.48	5.08
$4 but not more than $4.399	5.88	5.48
And for each additional 40 cents or fraction thereof	An additional 40 cents	

2. Add a § 918.51 (c) as follows:

(c) Add if the net utilization percentage calculated pursuant to paragraph (d) of this section is less than, or subtract if it is more than the base utilization range, and amount determined by multiplying such net utilization percentage by the appropriate figure shown in the following tabulation:

Pricing months:	Cents
January–February	3
March–June	1
July–September	3
October–December	4

3. Add a § 918.51 (d) as follows:

(d) The figure calculated for each month as follows shall be known as the net utilization percentage:

(1) Divide the net pounds of Class I milk disposed of by all handlers for the second and third preceding months into the total receipts of milk from producers by all handlers for the same months, multiply by 100, round to the nearest whole percentage number and determine the amount by which such number exceeds the higher figure or is less than the lower figure of the appropriate base utilization range in the following table:

Pricing month	Second and third preceding month	Base utilization range
January	October–November	100–105
February	November–December	101–106
March	December–January	106–111
April	January–February	110–115
May	February–March	112–117
June	March–April	119–124
July	April–May	128–133
August	May–June	128–133
September	June–July	124–129
October	July–August	122–127
November	August–September	115–120
December	September–October	106–111

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 28th day of October 1953, to be effective on and after November 1, 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-9247; Filed, Oct. 30, 1953; 8:53 a. m.]

[Docket No. AO-227 A3]

PART 928—MILK IN THE NEOSHO VALLEY MARKETING AREA

ORDER, AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 928.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Neosho Valley marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making effective not later than November 1, 1953, this order amending the said order, as amended. This action is necessary in the public interest in order to reflect current marketing conditions and to facilitate the orderly marketing of milk produced for the Neosho Valley marketing area. Any further delay in the effective date of this order, as amended, and as hereby further amended, will seriously impair orderly marketing of milk in the Neosho Valley marketing area. The provisions of the said amendatory order are well known to handlers, the public hearing having been held September 1–4, 1953, and the decision having been executed by the Assistant Secretary on October 21, 1953. Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. Therefore, it would be impracticable and contrary to the public interest to delay the effective date of this amendatory order 30 days after its publication in the FEDERAL REGISTER (see section 4 (c), Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping the milk covered by this

order amending the order, as amended) of more than 50 percent of the volume of milk covered by the aforesaid order, as amended, and as hereby further amended, which is marketed within the Neosho Valley marketing area, refused or failed to sign the marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, amending the said order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area, and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (August 1953) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Neosho Valley marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

Delete the second proviso appearing in § 928.51 (a) and substitute therefor the following: "*And provided further* That for each delivery period from the effective date hereof through March 1954 the proviso immediately preceding shall be effective only with respect to prices computed without regard to the following adjustment, and the price so computed shall be increased if the gross volume of Class I milk (excluding interhandler transfers and sales by producer-handlers and handlers partially exempt from this order pursuant to § 928.61) for the first and second delivery periods immediately preceding is a percentage of the total receipts of producer milk in such delivery periods equal to or in excess of the applicable percentage set forth below, by the amount of 12 cents, plus 4 cents for each percentage point or major fraction thereof of such excess, but not more than 45 cents in total:

Delivery period for which price applies	Delivery periods used in computation	Percentage
November	September–October	87
December	October–November	92
January	November–December	94
February	December–January	92
March	January–February	89

The amount of any adjustment pursuant to this proviso shall be announced by the market administrator on or before the 11th day of the delivery period and the adjusted price so announced shall be effective in lieu of the price announced pursuant to § 928.22 (j) (1)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 29th day of October 1953, to be effective on and after the 1st day of November 1953.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 53-9278; Filed, Oct. 30, 1953; 8:59 a. m.]

[Grapefruit Reg. 187]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.641 *Grapefruit Regulation 187*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than November 2, 1953. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 2, 1953, the recommendation and supporting information for continued regulation subsequent to November 1 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on October 27; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., November 2, 1953, and ending at 12:01 a. m., e. s. t., November 16, 1953, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seedless grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iv) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vi) Any seedless grapefruit, grown in the State of Florida, that grade U. S. No. 2 or U. S. No. 2 Bright which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vii) Any seedless grapefruit, grown in the State of Florida, that grade U. S. No. 1 Russet, U. S. No. 1, U. S. No. 1 Bronze, U. S. No. 1 Golden, U. S. No. 1 Bright or U S. Fancy which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler," and "ship," shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," "U. S. No. 1," "U. S. No. 1 Bronze," "U. S. No. 1 Golden," "U. S. No. 1 Bright," "U. S. Fancy," "U. S. No. 2," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§ 51.193 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 28th day of October 1953.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-9231; Filed, Oct. 30, 1953; 8:52 a. m.]

[Orange Reg. 242]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.642 *Orange Regulation 242*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Or-

der No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than November 2, 1953. Shipments of oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 2, 1953; the recommendation and supporting information for continued regulation subsequent to November 1 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on October 27 such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., November 2, 1953, and ending at 12:01 a. m., e. s. t., November 16, 1953, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than $2^{19}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida oranges (§ 51.302 of this title) *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2^{19}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2^{13}/_{16}$ inches in diameter and smaller.

(2) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the term "U. S. No. 1 Russet" shall have the same meaning as when used in the revised United States Standards for Florida Oranges (§ 51.302 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 28th day of October 1953.

[SEAL] M. W BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-9232; Filed, Oct. 30, 1953; 8:52 a. m.]

[Tangerine Reg. 138]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.643 *Tangerine Regulation 138*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than November 2, 1953. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 2, 1953; the recommendation and supporting information for continued regulation subsequent to November 1 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on October 27 such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date of this section.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., November 2, 1953, and ending at 12:01 a. m., e. s. t., November 16, 1953, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1, or

(ii) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2}$ x $9\frac{1}{2}$ x $19\frac{1}{8}$ inches; capacity 1,726 cubic inches)

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1" and "standard pack" shall have the same meaning as when used in the United States Standards for Tangerines (§ 51.416 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 28th day of October 1953.

[SEAL] M. W BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-9233; Filed, Oct. 30, 1953; 8:52 a. m.]

[Lemon Reg. 509]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.616 *Lemon Regulation 509*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Or-

der No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on October 28, 1953 such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., November 1, 1953, and ending at 12:01 a. m., P s. t., November 8, 1953, is hereby fixed as follows:

(i) District 1. Unlimited movement;

(ii) District 2: 213 carloads;

(iii) District 3: 12 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 29th day of October 1953.

[SEAL] M. W. BAKER,
Acting Director Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage Date: Oct. 25, 1953]

DISTRICT NO. 2

[12:01 a. m. Nov. 1, 1953, to 12:01 a. m. Nov. 15, 1953]

Handler	Prorate base (Percent)
Total	100.000
American Fruit Growers, Inc., Corona	.049
American Fruit Growers, Inc., Fullerton	.246
American Fruit Growers, Inc., Upland	.190
Buenaventure Lemon Co	1.622
Consolidated Lemon Co	.611
Ventura Pacific Co	3.585
Chula Vista Mutual Lemon Association	.545
Euclid Lemon Association	.000
Index Mutual Association	.073
La Verne Cooperative Citrus Association	1.810
Ventura Coastal Lemon Co	2.318
Ventura County Orange & Lemon Association	3.356
Ventura Processors	.000
Glendora Lemon Growers Association	797
La Verne Lemon Association	.389
La Habra Citrus Association	.300
Yorba Linda Citrus Association	472
Escondido Lemon Association	1.936
Cucamonga Mesa Growers	.579
Etiwanda Citrus Fruit Association	.166
San Dimas Lemon Association	465
Upland Lemon Growers Association	2.535
Central Lemon Association	.546
Irvine Citrus Association, The	.588
Placentia Mutual Orange Association	417
Corona Citrus Association	.112
Corona Foothill Lemon Co	.932
Jameson Co	.429
Arlington Heights Citrus Co	.339
College Heights Orange & Lemon Association	3.134
Chula Vista Citrus Association, The	.924
Escondido Cooperative Citrus Association	.142
Fallbrook Citrus Association	.904
Lemon Grove Citrus Association	.132
Carpinteria Lemon Association	4.278
Carpinteria Mutual Citrus Association	4.584
Goleta Lemon Association	6.425
Johnston Fruit Co	8.729
Briggs Lemon Association	2.932
Fillmore Lemon Association	.529
Oxnard Citrus Association	6.211
Rancho Sespe	.537
San Fernando Heights Lemon Association	.340
Santa Clara Lemon Association	5.795
Santa Paula Citrus Fruit Association	2.777
Saticoy Lemon Association	6.727
Seaboard Lemon Association	6.301
Somis Lemon Association	4.694
Ventura Citrus Association	1.879
Ventura County Citrus Association	.547
Limoneira Co	3.894
Teague-McKevett Association	.834
East Whittier Citrus Association	.116
Murphy Ranch Co	.490
North Whittier Heights Citrus Association	.084
Sierra Madre-Lamanda Citrus Association	.156
Dunning Ranch	.000
Far West Produce Distributors	.039
Paramount Citrus Association, Inc.	.399
Santa Rosa Lemon Co	.030

DISTRICT NO. 3

Total	100.000
Consolidated Citrus Growers	2.769
Phoenix Citrus Packing Co	3.076
Pioneer Fruit Co	6.719
Arizona Citrus Growers	50.738
Desert Citrus Growers Co	18.779
Tempeco Groves	13.303
Arlington Heights Citrus Co	1.156
James Macchiaroli Fruit Co	.000
Morris Bros. Fruit Co	.000
Sunny Valley Citrus Packing Co	3.460
Valley Citrus Packing Co	.000

[F. R. Doc. 53-9275; Filed, Oct. 30, 1953; 8:59 a. m.]

PART 973—MILK IN THE MINNEAPOLIS-ST. PAUL, MINNESOTA, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS OF ORDER, AS AMENDED, REGULATING HANDLING

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) hereinafter referred to as the "act," and of the order, as amended (7 CFR Part 973), regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area, hereinafter referred to as the "order," it is hereby found and determined that:

(a) The provisions of § 973.51 providing that the Class II price be used as an alternative formula for pricing Class I milk no longer tend to effectuate the declared policy of the act.

(b) Notice of proposed rule making, public procedure thereon, and 30 days prior notice of the effective date hereof are found to be impracticable, unnecessary, and contrary to the public interest in that (1) this suspension order relieves handlers from paying a Class I price based upon a butter-nonfat dry milk solids formula which would dislocate the normal price relationships between this and other Federally regulated markets; (2) the producers' association supplying approximately 90 percent of the fluid milk requirements of the market has requested such suspension; (3) present conditions in the market are such that unless relief of an emergency nature is granted the market will be demoralized; (4) use of the Class II price as an alternative formula for pricing Class I milk no longer tends to effectuate the declared policy of the act; (5) this suspension order does not require of persons affected substantial or extensive preparation prior to the effective date; and (6) the

time intervening between the date of this suspension order and its effective date affords persons affected a reasonable time to prepare for its effective date.

It is therefore ordered, That the following provisions of § 973.51 be and hereby are suspended effective at 12:01 a. m., c. s. t., November 1, 1953: "for Class II milk computed pursuant to § 973.50 (b) or that * * *"

Done at Washington, D. C. this 29th day of October 1953.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 53-9277; Filed, Oct. 30, 1953; 8:59 a. m.]

PART 982—MILK IN THE CENTRAL WEST TEXAS MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 982.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Central West Texas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make this order, amending the order, as amended, effective not later than November 1, 1953. Any delay beyond that date in the effective date of this order would seriously threaten the orderly marketing of milk in the Central West Texas marketing area.

The provisions of the said order are known to handlers, having been published in a decision which appeared in the FEDERAL REGISTER October 21, 1953 (18 F R. 6667) The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. It is hereby found, therefore, that good cause exists for making this order effective November 1, 1953 (Sec. 4 (c) Administrative Procedure Act, 5 U. S. C. 1001 et seq.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the Central West Texas, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (August 1953) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Central West Texas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 982.6 and substitute therefor the following:

§ 982.6 *Central West Texas marketing area.* "Central West Texas marketing area," hereafter called the marketing area, means all territory within the corporate limits of the following cities, all in the State of Texas.

Abilene.
Albany.
Anson.
Ballinger.
Big Spring.
Breckenridge.
Brownwood.
Cisco.
Coleman.
Colorado City.
Comanche.
Eastland.
Hamlin.
Lamesa.
Midland.
Odessa.
Ranger.
Rotan.
San Angelo.
Snyder.
Stamford.
Sweetwater.
Winters.

2. Delete § 982.14 and substitute therefor the following:

§ 982.14 *Route.* "Route" means any delivery (including any delivery by a vender or at a plant store) of milk, skim milk, buttermilk, or flavored milk drink other than to a milk processing plant (a) in bulk or (b) in consumer packages in a volume not in excess of that received as Class I milk during the month from such milk processing plant.

3. Delete § 982.51 and substitute therefor the following:

§ 982.51 *Class II milk.* Subject to the provisions of § 982.52 the minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II milk shall be the price computed pursuant to paragraph (a) of this section for the months of April, May and June, and the higher of the prices computed pursuant to paragraphs (a) and (b) of this section for all other months:

(a) The average of the basic or field prices reported to have been paid or to be paid for ungraded milk of 4.0 percent butterfat content received from farmers at the following plants or places for which prices have been reported to the market administrator to the Department:

Carnation Co., Sulphur Springs, Tex.
The Borden Co., Mount Pleasant, Tex.
Lamar Creamery, Paris, Tex.

(b) The sum of the plus values computed as follows: (1) From the simple average as computed by the market administrator of the daily wholesale selling prices (using the mid-point of any price range as one price) per pound of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department during the month, subtract 3 cents, add 20 percent thereof, and multiply by 4.0.

(2) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, multiply by 8.5 and multiply by 0.96.

Issued at Washington, D. C., this 29th day of October 1953 to be effective on and after November 1, 1953.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 53-9276; Filed, Oct. 30, 1953; 8:59 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6103]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

S. S. SAWYER, INC.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Payment or acceptance of commission, brokerage or other compensation under 2 (c). § 3.800 *Buyers' agents;* § 3.820 *Direct buyers.* In connection the sale of potatoes or any other vegetables in commerce: (1) Making payments to agents on purchases for their own accounts in amounts which are the same as the amounts of fees paid as brokerage to agents effecting sales to other purchasers, or in any other amounts which are also paid as brokerage; (2) granting a discount or allowance to any purchaser which makes the price to such purchaser lower than the prices at which sales are made to other purchasers, by any amount which is the same as the amount of brokerage fees paid to agents effecting sales to other purchasers, or in any other amounts which also are in lieu of brokerage; and (3) paying or granting anything of value as a commission, brokerage, or other compensation or allowance or discount in lieu thereof to the other parties to such transactions, or to their agents, representatives, or other intermediaries therein who in fact act for or in behalf, or are subject to the direct or indirect control, of such other parties; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, S. S. Sawyer, Inc., Hastings, Fla., Docket 6103, October 1, 1953]

This proceeding was heard by James A. Purcell, hearing examiner, upon the complaint of the Commission and a hearing, subsequent to service of ample notice, for the taking of testimony and reception of evidence, at which, respondent having failed to file answer to the complaint, pursuant to the provisions of Rule VIII of the Commission's rules of practice, and having failed to appear at said hearing of August 18, 1953, or in any wise to convey notice of its desire or intention to contest the allegations of the complaint, the provisions of Rule V (b) of the Commission's rules, prescribing procedure in event of default, became operative.

Thereafter, the proceeding regularly came on for final consideration by said examiner, theretofore duly designated by the Commission, upon said complaint and default, and said examiner, having duly considered the record in the matter, made his initial decision comprising certain findings as to the facts,[1] conclusion drawn therefrom,[1] and order to cease and desist.

No appeal having been filed from said initial decision of said hearing examiner, as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on October 1, 1953.

Said order to cease and desist is as follows:

It is ordered, That the respondent, S. S. Sawyer, Inc., a corporation, and its officers, directors, representatives, agents or employees, directly or through any corporate or other device, in connection with the sale of potatoes or any other vegetable in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

1. Making payments to agents on purchases for their own accounts in amounts which are the same as the amounts of fees paid as brokerage to agents effecting sales to other purchasers, or in any other amounts which are also paid as brokerage.

2. Granting a discount or allowance to any purchaser which makes the price to such purchaser lower than the prices at which sales are made to other purchasers, by any amount which is the same as the amount of brokerage fees paid to agents effecting sales to other purchasers, or in any other amounts which also are in lieu of brokerage.

3. Paying or granting anything of value as a commission, brokerage, or other compensation or allowance or discount in lieu thereof to the other parties to such transactions, or to their agents, representatives, or other intermediaries therein who in fact act for or in behalf, or are subject to the direct or indirect control, of such other parties.

By "Decision of the Commission and Order to File Report of Compliance", Docket 6103, September 25, 1953, which decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: September 25, 1953.

By the Commission.

[SEAL] ALEX. AKERMAN, Jr., *Secretary.*

[F. R. Doc. 53-9217; Filed, Oct. 30, 1953; 8:48 a. m.]

[1] Filed as part of the original document.

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[2d Rev. S. O. 888, Amdt. 1]

MINIMUM LOADING OF CARLOAD TRANSFER FREIGHT REQUIRED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of October A. D. 1953.

Upon further consideration of Second Revised Service Order No. 888 (17 F. R. 9777; 18 F. R. 1858), and good cause appearing therefor: It is order, that:

Section 95.888 *Minimum loading of carload transfer freight required,* of Second Revised Service Order No. 888 be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p. m., January 31, 1954, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date. This amendment shall become effective at 6:59 a. m., October 31, 1953.

It is further ordered, That a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12)

By the Commission, Division 3.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-9229; Filed, Oct. 30, 1953; 8:51 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 11]

PART 43—GENERAL OPERATION RULES

TOWING BY AIRCRAFT

The purpose of this supplement is to set forth the CAA policies regarding the authority and procedure for issuing Certificates of Waiver or Authorization for towing objects by aircraft. Sections 43.46-1 through 43.46-3 are adopted to read as follows:

§ 43.46 *Towing by aircraft.* No pilot shall tow anything by aircraft unless authority for such operation has been issued by the Administrator.

§ 43.46-1 *Authorization (CAA policies which apply to § 43.46).* Authority for towing objects by aircraft is issued by the Administrator in the form of a Certificate of Waiver or Authorization, Form ACA-663. This certificate is issued to the operator of the aircraft by the local Aviation Safety District Office.

§ 43.46-2 *Application (CAA policies which apply to § 43.46).* An application will be made by the operator of the aircraft in the following manner:

(a) *Application form.* Obtain two copies of Form ACA-400, Application for Certificate of Waiver, from the local Aviation Safety District Office, and fill out both copies as follows:

(1) Type, or print, in ink.

(2) Give complete information on items 1 through 7.

(3) Sign both copies of the application on the reverse in the space provided for the applicant's signature.

(b) *Application procedure* (1) Submit both copies of the application to the local Aviation Safety District Office and

(2) Arrange with the local agent for inspection of the aircraft and equipment to be used and the aircraft records

(c) *Inspection* Inspection of aircraft and equipment will include:

(1) Hitches release mechanisms and type of rope or cable used

(2) Loading conditions of the aircraft

(3) Area and procedure for dropping the tow or cable

(4) Proper lighting for aircraft and tow when night operations are involved

(5) General airworthy condition of the aircraft and tow

§ 43 46–3 *Certificate conditions (CAA policies which apply to § 43 46)* A Certificate of Waiver or Authorization for towing objects by aircraft will be issued subject to the following conditions and limitations:

(a) *Operations authorized* Operations will be limited to those specified on the certificate No authorization will be issued unless the operation:

(1) Will not create a hazard to other air traffic or persons or property on the ground.

(2) In a control zone can be controlled by air traffic control or other air traffic can be advised of the operation

(3) On airways or in the vicinity of busy airports, can be made known to affected air traffic

(4) Can be conducted in accordance with such special provisions which the approving agent deems necessary

(b) *Duration* The certificate will contain an expiration date which will allow ample time to complete the operation, but may be surrendered by the holder or cancelled by the Administrator at any time

(c) *Special provisions* The certificate will contain such special provisions as the approving agent may deem necessary in the interest of safety

Examples illustrating such provisions are:

(1) A thorough inspection of the aircraft engine and special equipment shall be made prior to each day s operations

(2) A planned course of action shall be followed with emphasis on selection of available emergency landing areas

(3) A capable and experienced pilot holding at least a commercial rating will be used

(4) Air traffic control and appropriate officials of the community shall be notified prior to beginning operations

(5) Any other specific precaution the agent may assign

(Sec 205 52 Stat 984 as amended; 49 U S C 425 Interpret or apply sec 601 52 Stat 1007 as amended; 49 U S C 551)

These policies shall become effective November 25 1953

[SEAL] F B LEE,
Administrator of Civil Aeronautics

[F R Doc 53-9209; Filed Oct 30 1953; 8:46 a m]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt 44]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public Compliance with the notice procedures and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest and therefore is not required

Part 609 is amended as follows:

1 The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation.
If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility: class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
EVANSVILLE, IND Dress Memorial Airport, 389' SBRAZ-VDT-EVV Procedure No 1 Oct. 15, 1953.	Princeton FM (Final)	181—13 0	1,300	W side. N course:	1 300	177—5 7	T-dn C-d	300-1 600-1	300-1 600-1½	Within 5 7 miles climb to 2 000' on S course EVV-LFR
	Evansville VOR	040—19 0	2 000	001 outbound 181 inbound. 1 800' within 10 miles 1,000' within 25 miles			C-n S-d 18 S n 18 A-dn	600-2 600-1 600-1½ 800-2	600-2 600-1 600-1½ 800-2	
NEWPORT NEWS, VA Patrick Henry Airport 41 SBMRAZ-DPT (Langley AFB LFR) LFI Procedure No 1 Nov. 1, 1953				N Side E course: 102 outbound 282 inbound. 1,500 within 15 miles NA beyond 15 miles	1,000	311—4.3	T-dn C-dn A-dn	300-1 500-1 800-2	300-1 600-1½ 800-2	Within 4.3 miles—climb to 1,500 on W course. CAUTION: This instrument approach procedure is authorized only when ceilings are lower than 3 000' and/or visibility is less than 2 miles
SOUTH BEND, IND. St. Joseph County, 778' SBMRAZ-VDT-SBN Procedure No 1 Oct. 28, 1953	New Carlisle FM (Final)	096-10	1,500	N side W course: 276 outbound 096 inbound. 2 000' within 25 miles.	1 500	075—3 3	T-dn C-dn S-dn 9 or 6 A-dn	300-1 500-1 500-1 800-2	300-1 500-1½ 500-1 800-2	Within 3.3 miles, climb to 2,000' on E course SBN-LFR or if directed by ATC make left climbing turn climb to 2 000' on N course SBN-LFR
WASHINGTON, D C. National Airport, 16' SBRA-DTXV; DCA Procedure No 1 Nov. 1 1953	--- -------- --	-- --	------	E side SW course 212 outbound. 032 inbound. 1,500' within 20 miles. (NA beyond 20 miles)	1,000	001—5 3	T-dn C-dn S-dn 36 or 33 A-dn	300-1 600-1 500-1 800-2	300-1 600-1½ 500-1 800-2	Within 5.3 miles make a left climbing turn as soon as practicable, climb to 1,800' (or to a higher altitude if directed by ATC) on NW course. Deviation authorized standard clearance not provided over 596' MSL monument 1.8 miles N of airport 422' MSL monument, 1.7 miles W of final approach course.

2 The automatic direction finding procedures prescribed in § 609 9 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation.
If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility: class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m. p h	
1	2	3	4	5	6	7	8	9	10	11
WASHINGTON, D. C National Airport SBRHDTXV (Washington LFR) DCA Procedure No 2 Nov 1, 1953	Andrews LFR	305—10 0	1 500	W side course: 181 Outbound 001 Inbound 1,400' within 15 miles. (NA beyond 15 miles)*	1,000	001—5 3	T-dn C-dn S-dn 36 A-dn	300-1 #600-1 #500-1 800-2	300-1 #600-1½ #500-1 800-2	Within 5.3 miles, climb to 1,800 (or higher altitude when requested by ATC) on course of 320° within 10 miles of LFR. *Nonstandard procedure turn to avoid traffic at Andrews AFB. #Deviation authorized, standard clearance not provided over 422' MSL monument, 1.7 miles W of final approach course and 596' MSL monument 1 8 miles N of airport
	Springfield Rbn	103—12 0	1 500							

3 The instrument landing system procedures prescribed in § 609 11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility: class and identification; procedure No; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept ion inbound (ft.)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft.)			Outer marker	Middle marker	Condition	Type aircraft		
										75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11	12	13
BURBANK, CALIF. Lockheed Air Terminal 703' ILS-BUR Procedure No 1 Oct 8, 1953	Burbank LFR	Canoga Park MHW	230—11	5,000	S side of course: 255° outbound 075° inbound. 4,100' within 10 miles W of Canoga Park MHW. Beyond 10 miles NA	4 100	Canoga Park MHW 4,075' 13.75 miles (No outer marker)	1,268 2.01 miles Inner compass locator 852' ½ mile	T-dn C d C-n S-dn 7 A-dn	300 1 900-1½ 900-2 600-1 900-2	300 1 900 1½ 900 2 600-1 900-2	*Turn right* (S) and climb to 4,100' on W course of BUR ILS localizer to Canoga Park MHW *Alternate missed approach.*—When directed by ATC, climb to 3,000' on SE course of BUR LFR, *then make* 180° right turn (S) continuing climb to 5,000' while homing on BUR LFR and hold at BUR LFR in nonstandard 2 minute pattern on SE course *4,100' authorized after position is established west bound on ILS localizer. CAUTION: 2,000' terrain 2½ miles NE of airport rising to 3,126' approximately 4 miles ENE of airport. #600 1 required for all take offs when departing via SE course BUR LFR
	Int. SW course EHA LFR and NW course BUR LFR (Simi Int)	Canoga Park MHW	130—9	4 100								
	Int. SW course EHA LFR and W course ILS (Broome Int)	Canoga Park MHW	075—16	4 100								
	Int. SE course OAV LFR and W course LAX LFR (Malibu Int)	Canoga Park MHW	357—22	5,000								
	Newhall LFR	Canoga Park MHW	180—14	6 000								

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation
If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility: class and identification; procedure No ; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept inbound (ft)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft)			Outer marker	Middle marker	Condition	Type aircraft: 75 m. p. h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11	12	13
CHICAGO, ILL. O'Hare International 657' ILS-ORD LOM-OR Procedure No 1 ILS and ADF Oct 18 1953	Int. N course HVY LFR and SE course NBU-LFR	LOM	280—12 0	2,500	W side of course: 318 out bound, 138 inbound. 2 500' within 25 miles	2,500	2,503	899	T-dn C-d C-n	300-1 500-1 500-1½	300-1 500-1½ 500-1½	6 4 miles after passing LOM(ADF) climb to 2,500' make left turn after passing NE course JOT-LFR. Proceed on track of 050 to SE course NBU-LFR Thence over NBU-LFRtoMundelein Int. or as directed by ATO as follows:—(1) Make left turn climbing to 2,500' and return to LOM; (2) make left climbing turn after passing NE course JOT-LFR to 2 500'and return to LOM
	Glenview LFR	LOM	230—8 0	2,500					S-dn 14 ILS	400-¾	400-¾	
	Int. S course MKE-LFR and E course RFD-LFR	LOM	205—12.0	2,500					ADF	400-1	400-1	
	Int. E course RFD-LFR and NW ILS course or bearing 138° to LOM (Final)	LOM : ADF Glide path Inter ILS	138—17 0	2,500					A-dn	800-2	800-2	
									A-dn ADF	1000-2 BCOB	1000-2 BCOB	
	Int. NE course JOT-LFR and SE ILS course or bearing 318° to LOM	LOM	318—8 0	2,500								
	Int. NW course OHI-LFR and SE ILS course or bearing 318° to LOM	LOM	318—9 0	2 500								
	Naperville VOR	LOM	014—22 0	2 500								
EVANSVILLE, IND. Dress Memorial 389 ILS-EVV LOM-EV Procedure No 1 ILS & ADF Oct 15 1953	Evansville LFR	LOM	118—3 9	1,800	N side NE course: 035 outbound 215 inbound 1800' within 15 miles	1 800	1704—4 5	631—0 6	T-dn	300-1	300-1	4 5 miles after passing LOM (ADF) or (ILS) make left climbing turn climb to 2 000' and proceed out S course EVV LFR. Or when directed by ATO make right climbing turn, climb to 2,000' on MH-340° to intercept W course of EVV-LFR and proceed on course within 25 miles CAUTION: Radio tower 920 MSL 4 5 miles SW of airport
	Evansville VOR	LOM	053—20 0	2,000					C-d C-n	600-1 600-2	600-1½ 600-2	
	Int. E course EVV-LFR and NE ILS course or 215° bearing to LOM (Final)	LOM	215—3 0	1 800					S-dn 21 ILS	400-1	400-1	
	Int. S course EVV-LFR and NE ILS course or 035° bearing to LOM	LOM	035—5 5	1 800					ADF d	500-1	500-1	
									ADF n	500-1½	500-1½	
	Int. 242° course to EVV-VOR and 254° bearing to LOM (Final)	LOM	254—15 0	1 800					A-dn ILS	800-2	800-2	
	Int. 257° course to EVV-VOR and 284° bearing to LOM	LOM	284—20 0	1 800					A-dn ADF	1,000-2 BCOB	1,000-2 BCOB	
	Int. 212 course to EVV-VOR and 190° bearing to LOM	LOM	190—20 0	1 800								
	Princeton FM	LOM	168—14 7	1 800								

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility: class and identification; procedure No; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept ion inbound (ft)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft)			Outer marker	Middle marker	Condition	Type aircraft: 75 m.p.h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11	12	13
SANTA BARBARA, CALIF Municipal 14' ILS-SBA Procedure No 1 Oct 6 1953	SBA LFR	ILS W course	253—0	4 000	W course: 253° outbound 073° inbound 2 000' #	2 000	El Capitan FM 2,074' 11.5 miles	105' 0.63 miles	T-DN C-DN S-DN 7 A-DN	300-1 700 2 400-¾ 800-2	300-1 700-2 400-¾ 800 2	Climb straight ahead to 800', make climbing right turn and climb to 4,000' on magnetic track of 105° from SBA I MM within 20 miles or on S course of SBA LFR within 20 miles. Straight-in approach from El Capitan FM authorized provided aircraft is on top, with tops not above 3,500' MSL, and is aligned on localizer course eastbound. #1,500' terrain, within 4 miles of localizer course. All maneuvering must be done on S side of course. CAUTION: Terrain paralleling final approach course on N. 344° radio masts 1 mile SE of airport. Deviation from station criteria authorized in items 6 and 7.
	SBA VOR	LMM	205—8	5,000			SBA LFR 500' 2 2 miles					
	El Capitan FM	ILS W course	073—0	*5,000			(No outer marker					
SOUTH BEND, IND. St. Joseph County, 775 ILS-SBN LOM-SB Procedure No 1 ILS-ADF Oct 22, 1953	South Bend LFR	LOM	082—8.6	2,000	N side of course: 088 outbound 268 inbound, 2 000' within 10 miles 2 200' within 25 miles.	2,000	1 000	983	T-dn	300 1	300 1	4.4 miles after passing LOM (ADF) climb to 2 000' on W course SBN-LFR or when directed by ATC Make right climbing turn. Climb to 2,000' on N course SBN-LFR or on 093 course from SBN-VOR
	Int. W course SBN-LFR and ILS course or 88° bearing	LOM	093—14 8	2,000					C-dn	500 1	500 1½	
	Goshen LFR (ILS)	E. Crs ILS	311—20.0	2,200					S-dn 27 ILS	400-¾	400-¾	
	Goshen LFR (ADF)	LOM	30—321.5	2,200					ADF	500 1	500 1	
	Int. N course GSH-LFR and E course ILS or 268° bearing (Final)	LOM	268—20.0	2,200					A-dn ILS	800 2	800 2	
		Glide Path Int	268—18.0									
	Union (Int) (LFR) (Final)	LOM	252—20.0	2,000					A-dn ADF	1,000-2 BCOB	1,000-2 BCOB	
	South Bend (VOR)	LOM	126—6.5	2,000								
	Goshen (VOR) (ILS)	E. Crs ILS	333—14 0	2,200								
	Goshen (VOR) (ADF)	LOM	323—15.5	2 400								
	Union Int (VOR) (Final)	LOM	240—21 0	2,000								
	Int. W course ILS and 75 course to SBN-VOR or 88 bearing to LOM	LOM	088—24 0	2 000								

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Bearings, headings, and courses are magnetic Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility: class and identification; procedure No ; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope intercept inbound (ft)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft)			Outer marker	Middle marker	Condition	Type aircraft: 75 m. p. h or less	Type aircraft: More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11	12	13
WASHINGTON, D. C. Washington National 16 DCA LMM: CA LOM: DCA-LF12 Procedure No 1 Oct. 1, 1953	Andrews LFR	Outer marker	305—10 0	1 500	W side s course:* 183 outbound 003 inbound 1,400′ within 5 of OM miles	1 400	1360—5 3	205—0 6	T-dn C-dn S-dn 36 A-dn	300-1 600-1 400-¾ 800-2	300-1 600-1½ 400-¾ 800-2	If contact not established at LMM, make climbing turn to left as soon as practicable and climb to 1,800′ (or to a higher altitude if directed by ATO) on NW course Washington LFR. *Nonstandard procedure turn to avoid Andrews AFB traffic Deviation authorized in circling minimums. Standard clearance not provided over 596′ monument 1 8 miles N of airport
	Springfield Rbn	Outer marker	103—12 0	1 500								

4 The ground controlled approach procedures prescribed in § 609 13 are amended to read in part:

GCA STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnet C. Distances are in statute miles unless otherwise indicated Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation.
If a GCA instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the ground controller. From initial contact with GCA to final authorized landing minimums, the instructions of the GCA controller are mandatory except when (A) visual reference with ground is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach

City and State; airport name, elevation; effective date	Radar terminal area; maneuvering altitudes by sectors and limiting distances	Ceiling and visibility minimums						Except when the ground controller may direct otherwise prior to final approach, a missed approach procedure shall be executed as provided below when (a) communication on final approach is lost for more than 5 seconds; (b) directed by ground controller; (c) visual reference is not established upon descent to the authorized landing minimums; or (d) landing is not accomplished
		Runway No	Condition	Precision approach (PAR)		Surveillance approach (ASR)		
				75 m. p. h or less	More than 75 m p h	75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9
PORTLAND, OREG. Portland International 23' Sept 25 1953	All bearings are to the radar with sector azimuths progressing clockwise Within 5 miles: 244° to 290°—1 700 290° to 090 —2 700 090° to 244°—1,600 Within 10 miles: 244° to 290°—2 100 290° to 070°—2 700 070° to 113°—2,500' 113° to 178°—1 600' 178° to 244°—2,400 Within 15 miles: 168° to 244°—4 600 244° to 290°—3 100 290° to 070°—2 700 070° to 113°—2 500' 113° to 171°—2 300 171° to 168°—3,300' Within 20 miles: 168° to 244°—5 400 244° to 290°—5 000 290 to 090°—3 000 090° to 120°—3 400 120° to 166°—3 000' 166° to 168°—3,600 Within 25 miles: 160° to 215°—7 000 215° to 300°—6 000 300° to 341°—4 000 341° to 011°—3 000 011° to 160°—4 000'	11	T-dN C-dN S-dN A-dN			300-1 800-1 800-1 900-2	300-1 800 1½ 800-1½ 900-2	Runways 10 and 11: Execute climbing left turn climb to 3,000' proceeding direct to PDX L/F range or PDX VOR; thence hold on the E side of the N course of the PDX L/F range or on the W side of the 331° outbound bearing from the PDX VOR within 10 miles of the respective stations. Runway 20: Climb to 3 000' on the S course of PDX L/F range or on the 174° outbound bearing from PDX VOR within 25 miles of respective stations. (Climb to 2,000' within 10 miles of PDX L/F range or within 17 miles of PDX VOR) Runway 28: Execute climbing right turn, climb to 3,000', proceeding direct to the PDX L/F range or PDX VOR; thence hold on the E side of the N course of the PDX L/F range or on the W side of the 331° outbound bearing from the PDX VOR within 10 miles of the respective station. *Aircraft smaller than DC-3 not authorized ASR for instrument approaches to runway 20 due to loss over radar clutter during final approach. CAUTION: 633' MSL radio tower 3½ miles W Also 630 MSL terrain 2½ miles S
		*20 10, and 28	T-dN C-dN S-dN A-dN			300-1 900-1 900-1 900-2	300-1 900-1½ 900-1½ 900-2	

5 The very high frequency omnirange procedures prescribed in § 609 15 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation. If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and State; airport name, elevation; facility; class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft		
								75 m. p h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
SOUTH BEND, IND St. Joseph County, 778 BVOR-VDT-SBN Procedure No 1 Oct 28 1953	All directions		MEA	W side of course: 360 outbound 180 inbound 1 900 within 25 miles	1 400	180—4 0	T-dn C-dn A-dn	300-1 500-1/ 800-2	300-1 500-1½ 800-2	Within 4.0 miles, make right climbing turn, climb to 1,900' and return to SBN-VOR; or when directed by ATC, climb to 2 000 on course of 180° from SBN-VOR within 25 miles of SBN-VOR
	Goshen LFR	305—29 0	2 200							
	South Bend LFR	031—7 0	2,000							
	Union Int (LFR)	205—25 0	2,000							
	North Liberty (LFR)	013—17 0	2 000							
	Int. W course SBN-LFR and 73 course to SBN-VOR	073—14 0	1 900							
	Int. N course SBN-LFR and 170 course to SBN-VOR	170—14 0	1 900							

These procedures shall become effective upon publication in the FEDERAL REGISTER

(Sec 205 52 Stat 984 as amended; 49 U S. C 425 Interpret or apply sec 601 52 Stat 1007 as amended; 49 U S C 551)

[SEAL]

F B LEE,
Administrator of Civil Aeronautics

[F R Doc 53-9129; Filed Oct 30 1953; 8:45 a m]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter J—Procurement Procedures

PART 1000—GENERAL PROVISIONS

PART 1007—TERMINATION OF CONTRACTS

PART 1009—BONDS AND INSURANCE

PART 1014—CONTRACT COST PRINCIPLES

MISCELLANEOUS AMENDMENTS

1 Section 1000 317 is added to Subpart C as follows:

§ 1000 317 *Implementation of Defense Manpower Policy No 4* This section sets forth the policies and procedures for the placement of procurements by negotiation in labor surplus areas certified by the Director Office of Defense Mobilization, under Defense Manpower Policy No 4 Placement of Procurement in areas of Current or Imminent Labor Surplus, issued as of February 7, 1952 (17 F R 1195)

(a) *Policy* (1) Defense Manpower Policy No. 4 contemplates the placement of procurement contracts by negotiation with responsible concerns for substantial performance in areas of current or imminent labor surplus in cases where the public interest dictates the need for so doing in order to achieve stipulated objectives.

(2) A Surplus Manpower Committee has been created, whose members are appointed by the Chairman of the Manpower Policy Committee from representative departments and agencies The Defense Manpower Administration of the Department of Labor certifies under standards established by the Secretary of Labor the existence of labor surplus areas; whereupon the Committee obtains from appropriate agencies manpower and facilities information and makes suitable findings and reports them to the Director of Defense Mobilization with a recommendation that he notify the Department of Defense and the General Services Administration that the Director has concluded it to be in the public interest to give preference to such labor surplus areas in the placement of contracts This conclusion is made after the review of the Committee's recommendations by the Office of Defense Mobilization to ascertain whether such findings and recommendations may be reconciled with other policies affecting procurement for which policies the Office of Defense Mobilization has responsibility. Official notifications are issued by the Director Office of Defense Mobilization designating those areas or industries which are to receive preferential considerations in accordance with the provisions of the notifications

(3) The Department of the Air Force, on receipt of an official notification, shall (i) determine what procurement contracts can be fulfilled by utilization of the manpower skills and facilities described in the Committee's surveys and findings, (ii) take all practicable steps consistent with other procurement and military objectives other than price (where a price differential is authorized) to locate procurement in the areas covered by the Committee's findings and (iii) within a reasonable time report the steps taken and furnish any other relevant information requested

(4) The Secretary of Defense has directed that:

(i) Any contract giving preference in the form of a price differential to a distressed area must be approved by the Secretary of the Air Force before it becomes effective.

(ii) There shall be submitted monthly to the Senate and House Armed Services Committees and the Senate and House Appropriations Committees a list of con-

tracts awarded as a result of any preference under Defense Manpower Policy No. 4. This report shall show for each contract the amount, if any, of any price differential allowed.

(b) *Applicability.* This section covers the application within the Department of the Air Force of the policies mentioned in paragraph (a) of this section, in the placement by the military departments of supply contracts in excess of $25,000 as to which a substantial portion of the production may be undertaken in an area of labor surplus. This section does not apply to the placement of contracts with firms in those industries which are excluded pursuant to the provisions of notifications issued under Defense Manpower Policy No. 4. Procurements within industries which are the subject of specific notifications issued by the Director, Office of Defense Mobilization, shall be handled in accordance with these procedures as modified or supplemented by such notifications, except as special instructions are issued by Headquarters USAF relating to such industries. (See § 1000.318 for textile industry.)

(c) *Formal advertising.* (1) The policies prescribed in this section do not in any way alter the present method of awarding contracts after formal advertising. Therefore, if formal advertising is determined to be the appropriate method to be utilized for a particular procurement, invitations for bid will be issued and awards made in precise accord with the provisions of Part 401 of this title, and the respective departmental procedures pertaining to formal advertising. In implementing this section, contracting officers will not engage in the practice of inviting bids by formally advertised procurement and then rejecting all bids and resorting to negotiation. Special care will be exercised to insure that bidders situated in labor surplus areas whose names appear on the appropriate bidders' list will receive an opportunity to participate.

(2) The policy provided in § 401.406–4 of this title relating to the awarding of contracts in a "distressed employment area" shall be deemed to apply to both Group IV Areas of Labor Surplus, appearing in the Bi-monthly Summary of Labor Market Developments in Major Areas, published by the Labor Department, and labor surplus areas as may be certified by the Director of Defense Mobilization.

(3) The term "set-aside" as used in this section identifies that method of procurement whereby a portion of the requirement is withheld from formal advertising and negotiated exclusively for substantial production in labor surplus areas. Set-asides have been used to a limited extent heretofore. When in the public interest to do so, a more extensive use of set-asides is hereby directed. In situations in which a set-aside is used, the following procedures will apply:

(i) Determine the optimum quantity which, because of manufacturing processes, would probably yield the most favorable price and issue invitations for bid for that quantity (plus such additional quantity, if any, a contracting officer may deem appropriate), holding back a quantity at least equivalent to an economical production run for future placement by negotiation exclusively for substantial production in a labor surplus area. The invitation for bid covering the formally advertised portion shall give suitable notice that the set-aside procedure in aid of labor surplus areas may be utilized and that the right to participate in subsequent negotiation for any such set-aside portion of the procurement requires that the firm must have submitted a bid within 120 percent of the highest award made under such invitation. However, the portion withheld for negotiation shall not be revealed prior to the opening of bids.

(ii) Undertake to negotiate the set-aside portion for substantial production in such labor surplus areas with responsible bidders who have submitted bids conforming to the invitation for bids:

(*a*) At a price equivalent to the lowest qualified bid received under the invitation for bids when the award(s) is for a single price.

(*b*) At a price determined by the contracting officer to be fair and reasonable but in no event at a price higher than the highest price of an award made under the invitation for bids when the award(s) is at multiple prices. In the absence of changes in market trends and other factors requiring consideration, the contracting officer shall use for such fair and reasonable price the weighted average. The weighted average shall be ascertained by adding the total dollar amounts of all awards, then dividing such grand total by the total number of units included in all awards.

(4) When this method of procurement is utilized to give preference, negotiations shall be conducted in the following order of preference:

(i) Small business firms, beginning with the bidder who submitted the lowest responsive bid.

(ii) Large business firms, beginning with the bidder who submitted the lowest responsive bid.

(5) If full coverage is still not obtained, the unplaced portion of the set-aside may be procured in the most appropriate manner.

(d) *Negotiated procurement.* (1) Contracting officers will use their best efforts to award procurement contracts for supplies, including those in an amount of $25,000 or less, to contractors who will produce substantially within a labor surplus area to the extent that normal negotiation policies and procedures will permit. Such procurements are not considered as having resulted from the giving of a "preference" as that term is defined in subparagraph (2) of this paragraph.

(2) "Preference" within the meaning of Defense Manpower Policy No. 4 and notifications thereunder is defined to include any action necessary to award a procurement contract for production in a labor surplus area, solely because of the provisions of a notification under said policy and without which the contract would not be so awarded.

(3) When Office of Defense Mobilization notifications state that contractors in certified areas will be afforded the opportunity to meet prices obtainable in any labor market area classified by the Department of Labor as Group I, II, or III, the following will be adhered to:

(i) The best possible terms should be negotiated with each firm. When the lowest acceptable proposal has been obtained and when such proposal was obtained from a firm in a labor market area classified I, II, or III by the Department of Labor, qualified firms in labor surplus areas which have submitted proposals not in excess of 120 percent of such lowest acceptable proposal shall be given the opportunity of receiving the award by meeting the otherwise acceptable proposal in the following order of preference:

(*a*) Small business firms, beginning with the firm which has submitted the lowest acceptable proposal.

(*b*) Large business firms, beginning with the firm which has submitted the lowest acceptable proposal: *Provided however* That if the lowest acceptable proposal was obtained from a small business firm outside the labor surplus areas, a large business firm shall not be given the opportunity of receiving the award by meeting such lowest acceptable proposal.

In conducting these negotiations, the amount of the low acceptable proposal may be revealed but not the identity of the firm nor cost information pertaining to such proposal.

(ii) If, subsequent to the initial solicitation of proposals, additional suppliers which will produce substantially in labor surplus areas desire an opportunity to submit quotations, such quotations may be received if the original negotiation has not been concluded and if the additional negotiation will not unreasonably delay the procurement. If such late offer is received and negotiation is undertaken, negotiation will be conducted as provided in subdivision (i) of this subparagraph.

(e) *Price differentials.* Price differentials are not now authorized under this policy. If such differentials are authorized, a supplement to this section will be issued.

(f) *Records and reports.* Each negotiated contract covered by this section shall be documented to indicate:

(1) The reasons why the contract was not awarded for production in a labor surplus area, if such is the fact.

(2) If the contract was awarded for production in a labor surplus area, whether such action resulted from the application of normal negotiation procedures, or by reason of "preference" as defined in paragraph (d) (2) of this section. If the latter, the type of preference granted shall be indicated.

(g) *Implementation.* The Commanding General, Air Materiel Command will establish or modify procedures necessary to implement this policy.

2. Section 1000.318 is added to Subpart C as follows:

§ 1000.318 *Defense Manpower Policy No. 4, Notification No. 38 (Textile Industry)* This section sets forth the policies and procedures for the placement of procurements by negotiation with the textile industry as defined and set forth in official Notification No. 38, by the

Director, Office of Defense Mobilization under Defense Manpower Policy No. 4.

(a) *Policy.* (1) Defense Manpower Policy No. 4, Notification No. 38, issued by the Director of Defense Mobilization, directs the placement of procurement contracts by negotiation with certain responsible manufacturers in the textile industry in cases where the public interest dictates the need of maintaining the effective functioning of the textile industry as a whole.

(2) The Surplus Manpower Committee of the Office of Defense Mobilization, after the holding of public hearings, made the following recommendations to the Director of Defense Mobilization in the interest of preserving skills and maintaining the productive facilities of the textile industry:

(i) That the Department of Defense accelerate procurement and delivery of the open-to-buy quantities under appropriations available for the remainder of the fiscal year 1952 (now expired) and take similar action in the first half of fiscal year 1953 as soon as the fiscal year 1953 funds become available.

(ii) That contracts be placed by the Department of Defense in accordance with such procedures as will give preference to those manufacturers whose weaving operations (in the case of weaving or integrated mills) or whose spinning operations (in the case of spinning mills) during the period of performance of such contracts will not be in excess of 80 hours per week (not including other supporting activities)

(iii) That no preference be given in the placement of such contracts to any areas or particular cities within areas with respect to this industry.

(iv) That no provision be made for payment of any price differential.

After determining that these recommendations do not conflict with other policies affecting procurement for which the Office of Defense Mobilization has responsibility, the Director of Defense Mobilization notified the Department of Defense that it is in the public interest to give preference in the placement of Government contracts to the textile industry in accordance with these recommendations.

(3) The Secretary of Defense has directed that:

(i) Any contract giving preference in the form of a price differential must be approved by the Secretary of the Air Force before it becomes effective.

(ii) There shall be submitted monthly to the Senate and House Armed Services Committees and the Senate and House Appropriations Committees a list of contracts awarded as a result of any preference under Defense Manpower Policy No. 4. This report shall show for each contract the amount, if any, of any price differential allowed.

(b) *Applicability.* This section covers the application within the Department of the Air Force of the policies mentioned in paragraph (a) of this section, in the placement by the military departments of supply contracts for textiles in excess of $25,000.

(c) *Formal advertising for textiles.* (1) The polices prescribed in this section do not in any way alter the present method of awarding contracts after formal advertising. Therefore, if formal advertising is determined to be the appropriate method to be utilized for a particular procurement, invitations for bid will be issued and awards made in precise accord with the provisions of Part 401 of this title, and the respective departmental procedures pertaining to formal advertising. In the implementation of this section, contracting officers will not engage in the practice of inviting bids by formally advertised procurement and then rejecting all bids and resorting to negotiation. Special care will be exercised to insure that all textile manufacturers whose names appear on the appropriate bidders' list will receive an opportunity to bid.

(2) The term "set-aside" as used in this section identifies that method of procurement whereby a portion of the requirement is withheld from formal advertising and negotiated exclusively for substantial production with the textile manufacturers who will meet the requirements of paragraph (d) (3) (iii) of this section. Set-asides have been used to a limited extent heretofore. When in the public interest to do so, a more extensive use of set-asides is hereby directed. In situations in which a set-aside is used, the following procedures will apply:

(i) Determine the optimum quantity which, because of manufacturing processes, would probably yield the most favorable price and issue invitations for bid for that quantity (plus such additional quantity, if any, a contracting officer may deem appropriate), holding back a quantity at least equivalent to an economical production run for future placement by negotiation exclusively with the textile manufacturers who will meet the requirements of paragraph (d) (3) (iii) of this section. The invitation for bid covering the formally advertised portion shall give suitable notice that the set-aside procedure in aid of the textile manufacturers who will meet the requirements of paragraph (d) (3) (iii) of this section may be utilized and that the right to participate in subsequent negotiation for any such set-aside portion of the procurement requires that the firm must have submitted a bid within 120 percent of the highest award made under such invitation. However, the portion withheld for negotiation shall not be revealed prior to the opening of bids.

(ii) Undertake to negotiate the set-aside portion with the responsible textile manufacturers who will meet the requirements of paragraph (d) (3) (iii) of this section and who have submitted bids conforming to the invitations for bids:

(*a*) At a price equivalent to the lowest qualified bid received under the invitation for bids when the award(s) is for a single price.

(*b*) At a price determined by the contracting officer to be fair and reasonable but in no event at a price higher than the highest price of an award made under the invitation for bids when the award(s) is at multiple prices. In the absence of changes in market trends and other factors requiring consideration, the contracting officer shall use for such fair and reasonable price the weighted average. The weighted average shall be ascertained by adding the total dollar amounts of all awards then dividing such grand total by the total number of units included in all awards.

(3) When this method of procurement is utilized to give preference, negotiations shall be conducted in the following order of preference:

(i) Small business firms, beginning with the bidder who submitted the lowest responsive bid.

(ii) Large business firms, beginning with the bidder who submitted the lowest responsive bid.

(4) If full coverage is still not obtained, the unplaced portion of the set-aside may be procured in the most appropriate manner.

(d) *Negotiated procurement of textiles.* (1) Contracting officers will use their best efforts to award procurement contracts for textiles, including those in an amount of $25,000 or less, to those manufacturers who will certify that they will meet the requirements of subparagraph (3) (iii) of this paragraph, to the extent that normal negotiation policies and procedures will permit. Such procurements are not considered as having resulted from the giving of a "preference" as that term is defined in subparagraph (2) of this paragraph.

(2) "Preference" within the meaning of this implementation is defined to include any action necessary to award a procurement contract for production of textiles with a manufacturer who will meet the requirements of subparagraph (3) (iii) of this paragraph, and without which the contract would not be so awarded.

(3) Manufacturers who meet the qualifications of paragraph (a) (2) (ii) of this section, will be afforded the opportunity to meet prices obtainable elsewhere in accordance with the following:

(i) Negotiations will be conducted with potential sources regardless of the number of hours worked per week.

(ii) All requests for proposals shall state that award may be made in accordance with this implementation, and all contractors' proposals must state whether they will meet the requirements of the contract clause set forth in subdivision (iii) of this subparagraph.

(iii) All contracts awarded pursuant to this implementation involving preference will contain the following clause:

> The contractor warrants that during the performance of this contract, its total weaving operation (in the case of weaving or integrated mills) on behalf of the Government or otherwise, or total spinning operations (in the case of spinning mills) on behalf of the Government or otherwise, will not exceed 80 hours per week (not including other activities in support of such operations) at the plant(s) where this contract will be performed.

(iv) The best possible terms should be negotiated with each firm. When the most acceptable proposal has been obtained and when such proposal was not obtained from a manufacturer which will meet the requirements of subdivision (iii) of this subparagraph, qualified manufacturers who will meet such requirements and who have submitted proposals

not in excess of 120 percent of the most acceptable proposal shall be given the opportunity of receiving the award by meeting the otherwise acceptable proposal in the following order of preference:

(a) Small business firms, beginning with the firm which has submitted the lowest acceptable proposal.

(b) Large business firms, beginning with the firm which has submitted the lowest acceptable proposal, provided however, that if the lowest acceptable proposal was obtained from a small business firm who will not meet the requirements of subdivision (iii) of this subparagraph, a large business firm shall not be given the opportunity of receiving the award by meeeting such lowest acceptable proposal.

In conducting these negotiations, the amount of the low acceptable proposal may be revealed but not the identity of the manufacturer nor cost information pertaining to such proposal.

(v) If, subsequent to the initial solicitation of proposal, additional manufacturers who will meet the requirements referred to in subdivision (iii) of this subparagraph, desire an opportunity to submit quotations, such quotations may be received if the original negotiation has not been concluded and if the additional negotiation will not unreasonably delay the procurement. If such late offer is received and negotiation is undertaken, negotiation will be conducted as provided in subdivision (iv) of this subparagraph.

(e) *Records and reports.* Each negotiated contract covered by this section shall be documented to indicate:

(1) The reasons why the contract was not awarded for textile production in accordance with this implementation, if such is the fact.

(2) If the contract was awarded for production with a manufacturer meeting the requirements of paragraph (d) (3) (iii) of this section, whether such action resulted from the application of normal negotiation procedures, or by reason of "preference" as defined in paragraph (d) (2) of this section. If the latter, the type of preference granted shall be indicated.

(f) *Implementation.* The Commanding General, Air Materiel Command will establish or modify procedures necessary to implement this policy.

(AFL 70-102) (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply 62 Stat. 21; 41 U. S. C. 151-161)

3. Paragraphs (b) and (c) of § 1007.605 are changed as follows:

§ 1007.605 *Inventory descriptions.* * * *

(b) Property, other than aircraft and aircraft parts and components, in conditions N-4, E-4, O-4, R-3, and R-4, without dollar limitation, and property in conditions E-3, O-3, and R-2, of line item cost not exceeding $500, shall be listed on separate inventory schedules, and the schedules plainly marked with the letter "Q." Such property, if reportable, shall be screened concurrently with the Department of Defense Screening Agency and with General Services Administration on a regional basis only, in order to expedite the screening of property of low value and low utilization potential. Automatic release date will be 75 days after the issue date of the Excess Listing and will be specifically set forth therein. This information will be furnished the holding activity by the Department of Defense Screening Agency.

(c) Property, other than aircraft and aircraft parts and components, in conditions and of line item cost other than those specified in paragraph (b) of this section, shall be listed on separate inventory schedules, and the schedules plainly marked with the letter "P." Such property, if reportable, shall be screened with the Department of Defense Screening Agency and with General Services Administration on a national basis, in order to provide for selective screening of property of high value and high utilization potential.

* * * * *

4. Paragraph (d) of § 1007.617 is deleted, and paragraph (c) thereof is changed as follows:

§ 1007.617 *Accounting for termination inventory.* * * *

(c) In the case of either complete or partial termination, if a property administrator has been previously appointed, he shall continue to act as such; if such appointment has not been made, the plant clearance officer to whom the case is assigned shall act as the property administrator for the purpose of accounting to the termination contracting officer for any property reported by the contractor on termination inventory schedules, until such times as disposal action is completed or until the Government acquires title to the property and enters into an agreement for storage.

(AFL 70-102) (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply 62 Stat. 21; 41 U. S. C. 151-161)

5. Paragraph (b) of § 1009.202 is changed as follows:

§ 1009.202 *Consent of surety.* * * *

(b) *Consent of surety without providing for an increase in the penal sums of bonds previously given.*

CONSENT OF SURETY

Date _____

Contract No. _____ Modification No. _____

Consent of Surety is hereby given to the foregoing contract modification, and the surety agrees that its bond or bonds shall apply and extend to the contract as modified or amended thereby.

In presence of—

_____ _____
(Corporate surety)

_____ _____
(Address) (Business address)

Attest:

_____ By _____
(Affix corporate seal)

(AFL 70-102) (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply 62 Stat. 21; 41 U. S. C. 151-161)

6. Part 1014, *Contract Cost Principles*, consisting of § 1014.101, is added to Subchapter J as follows:

§ 1014.101 *Interest on advance payments on cost-reimbursement type contracts.* Interest on advance payments will not be allowed as a cost under any cost-reimbursement type contract nor cost-reimbursement subcontract thereunder. Hereafter, no such contract or subcontract may provide or be amended to provide for allowance of such interest as an item of cost.

(AFL 70-102) (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply 62 Stat. 21; 41 U. S. C. 151-161)

[SEAL] E. L. WALTERS,
Colonel, U. S. Air Force,
Acting Air Adjutant General.

[F. R. Doc. 53-9206; Filed, Oct. 30, 1953; 8:45 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter I—Home Loan Bank Board, Housing and Home Finance Agency

Subchapter B—Federal Home Loan Bank System

[No. 6477]

PART 125—ADVANCES

MAXIMUM LOANS TO MEMBERS

Correction

In F. R. Doc. 53-9078, appearing at page 6774 of the issue for Tuesday, October 27, 1953, the word "for" preceding "50 percent" in § 125.1 should read "or."

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Bureau of Foreign Commerce

[6th Gen. Rev. of Export Regs., Amdt. 70 [1]]

PART 371—GENERAL LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 374—PROJECT LICENSES

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

MISCELLANEOUS AMENDMENTS

1. Part 371 *General licenses* is amended by adding thereto a new § 371.23 *General license GHK* to read as follows:

§ 371.23 *General license GHK.* A general license, GHK, is hereby established authorizing the exportation to Hong Kong of commodities listed below:

[1] This amendment was published in Current Export Bulletin No. 717, dated October 22, 1953.

Schedule B No	Commodity
001000-001990	Animals, edible
	Meat and meat products:
002000-002100	Beef and veal, except canned
002700	Pork, except canned, fresh or frozen
003400	Lamb and mutton, except canned.
003500	Sausage, prepared sausage meats bologna, and frankfurters except canned
003901	Chicken, canned
003905	Canned baby food, meat or chief value meat, strained or chopped
004010	Chickens, capons, fresh or frozen
004050	Other poultry and game, fresh or frozen
004500	Other meats, except canned (including edible animal organs).
004600-004800	Sausage casings natural; bladders bungs middles rounds or weasands
004998	Sausage casings artificial
	Dairy products:
006000	Milk and cream fresh
006550	Butter.
006850	Infants and dietetic foods, chiefly milk base.
006901	Malted milk, compounds and mixtures (powder or paste only).
006903	Ice cream powder, mix and preparations (powder or paste only)
	Fish and fish products:
007000-007600	Fish and shellfish, fresh or frozen, however packed
007700-008005	Fish and shellfish, salted, pickled, or dry-cured, except canned
008101	Fish, smoked, or kippered, except canned
	Fish, canned in airtight containers nonperishable:
008450-008504	Sardines (including pilchards).
008603	Herring.
008635	Mackerel (including Jack mackeral).
008650	Other (including cakes, balls, hash paste sauce, caviar and roe)
008700-008898	Shellfish, canned in airtight containers, non perishable.
008990	Fish shellfish, and other marine animal products prepared or preserved n e c
009200-009900	Other edible animal products
	Leather:
031210-031950	Patent upper leather
035700	Reptilian and aquatic leather for all purposes
	Leather manufactures:
	Boots, shoes, and other footwear with leather uppers new:
064710-064795	Women's and misses'.
064800	Infant's and children's
068800-068900	Women's and children's handbags, pocket books, and purses (except change purses)
069200-069300	Cardcases, change purses wallets and similar articles
071300-075900	Furs and manufactures.
	Other inedible animals and animal products:
094205-094208	Glue of animal origin
	Grains and preparations:
101300	Barley malt
102100	Buckwheat.
103700	Corn cereal foods, ready to eat.
104400	Oatmeal, groats, and rolled oats in packages
107700	Macaroni and macaroni products
107810	Bakery products.
107900	Prepared flour mixes.
108000	Wheat cereal foods, ready to eat
109500	Breakfast cereal foods, n e c
109900	Grains and preparations n e c
	Fodders and feeds n e c:
110100	Hay.
118500	Other prepared and mixed foods
119900	Feeds, n. e. c.
	Vegetables and preparations edible:
120710-122490	Vegetables fresh.
122600	Vegetables frozen
123000	Vegetables dehydrated.
	Vegetables, canned:
124100	Asparagus
124300	Corn
124400	Peas
124510	Soups, n. e. c.
124700	Tomato paste and puree (pulp)
124800	Tomato juice
124900	Beans, string or stringless
124950	Spinach.
124970	Baby food vegetables strained or chopped.
124990	Vegetables and juices canned n. e c.
125000	Pickles cucumber.
125100	Catsup (ketchup), chili sauce and other tomato sauces.
125298	Sauces and relishes, n. e c.
125920	Vegetable seasonings
125998	Vegetable preparations n. e c.

Schedule B No	Commodity
	Fruits and preparations:
130100 132000	Fruits fresh and frozen
	Fruits dried and evaporated:
132200	Pears
132500	Apples.
132600	Apricots
132700	Peaches
133005	Figs.
133098	Fruits, dried and evaporated, n. e. c.
133100	Dates, fresh, dried or otherwise prepared
133150	Olives green and ripe
133200-134790	Fruits, canned.
134900	Preserves jellies, jams, and fruit butters.
135045-135089	Fruit juices, except pineapple canned and frozen.
135098	Fruit preparations n e c
137400-137995	Nuts and preparations.
150100-151390	Cocoa, coffee tea and substitutes
	Spices:
154901-154906	Capsicum; cinnamon; cassia; cloves; and nutmegs (ground or unground)
154915	Vanilla beans (ground or unground)
154998	Spices n. e. c, except pepper
	Sugar and related products:
163100	Sirup for table use, and edible molasses
163200	Honey
163400-163500	Candy.
163510	Chewing gum.
163600-163700	Confections and desserts n e c
170100-178000	Beverages
	Rubber (natural, allied gums and synthetics) and manufactures:
204610	Rubber toys, balls, and novelty balloons, except dolls golf and tennis balls
209410	Rubber tiling and roofing
	Drugs, herbs, leaves and roots crude:
220100	Cascara bark
220500	Ginseng
220988	Crude drugs herbs, leaves and roots, n e c
	Vegetable oils, fats, and waxes, crude:
226800-226900	Peppermint oil spearment and other mint oils n e c
227110-227160	Citrus oils
	Seeds, except oilseeds:
246700	Flower seed
246850-246898	Vegetable seeds.
247500	Seeds, except oilseeds n e c
259903-259998	Nursery and floral stock
	Cotton manufactures:
301600	Crochet, darning and embroidery cotton
	Finished cloth bleached dyed printed stiffened or otherwise converted, and colored yarn fabrics:
	Carded goods, except fine carded:
304000-304710	Drills, twills, sateens and sheeting
	Print cloth yarn fabrics:
304800-304920	Carded broadcloth.
305110-305220	Print cloth yarn fabrics construction count above 36 x 32
305510-305590	Napped fabrics
	Colored yarn fabrics:
306000	Chambrays, cheviots and shirtings
306100	Colored yarn fabrics, n. e. c
	Fine goods and combed cotton fabrics, bleached, dyed printed flockdot or clipped:
	Fine carded, combed and part combed goods:
306700	Voiles, organdies, lawns, and batistes.
307000-307330	Piques; marquisettes; broadcloth; pongee; and oxford.
307600	Cotton and wool mixtures, n. e. c
307900	Cotton and rayon mixtures n e c.
	Cotton fabrics, n. e. c.:
308000	Knit fabric, in the piece.
308200	Table damask in the piece.
308400	Tapestry, and other upholstery and drapery materials plain jacquard and dobby woven
308700-308800	Plushes and pile fabrics.
	Cotton wearing apparel:
309000	Handkerchiefs.
309120	Gloves and mitts except fabric work gloves and mitts.
309300-309990	Knit goods
	Garments of woven fabrics:
311500-311610	Nightwear and underwear, men s and boys
311720	Shirts, men's and boys', except work shirts.
312000	Clothing of cotton woven fabrics, men's and boys, n. e c.
312200-312900	Women's and children's apparel of woven fabrics n. e c.
313200	Laces embroideries and articles thereof n. e c.

Schedule B No	Commodity
	Cotton manufactures—Continued
316000-316100	Cotton narrow fabrics nonelastic, not over 12 inches wide except woven belts and belting, industrial.
317100-318000	Cotton house furnishings
	Vegetable fibers and manufactures:
320505	Hemp.
320598	Unmanufactured vegetable fibers n e c
330035	Handkerchiefs, linen
	Silk and manufactures:
370200	Raw silk.
371000	Sewing, embroidery, and crochet silk
373100 375100	Wearing apparel, including hosiery
370900	Silk manufactures, n. e. c.
	Man-made (synthetic) fibers and manufactures:
	Broad woven goods:
384000-384001	Pile fabrics
384021	Upholstery and drapery fabrics, wider than 42 inches, woven, except pile.
384020-384031	Woven filament yarn fabrics wholly of rayon or acetate n e c, gray (unfinished) and printed.
384059-384072	Woven spun yarn fabrics, wholly of rayon or acetate, n. e. c.
384081	Broad woven fabrics of mixed or blended fibers chiefly rayon or acetate, n e c
384092	Knit fabric in the piece.
384096	Ribbons woven with fast selvages
385201-385720	Wearing apparel.
385800	House furnishings.
	Miscellaneous textile products:
390100	Linoleum.
390300	Felt-base floor coverings except linoleum.
391100	Oilcloth for shelf, tables, and wall
391300	Window-shade cloth (all types)
391410	Book cloth, pyroxylin-coated or impregnated
391420	Book cloth, starch filled.
392100	Corsets, brassieres, and girdles, except rubber and rubberized.
392500	Neckties, cravats, mufflers, and scarves (all fibers).
394000-394100	Hat braids, hats, and hat bodies of natural fibers or synthetic textiles
395200	Women's and girls' fur felt hats, caps and hat bodies.
395300	Hats, caps and berets, n. e. c. (except rubber and rubberized and military type)
396300	Artificial or ornamental flowers, fruits vegetables grasses, grains, leaves, stems or parts thereof (all materials).
397000	Mattresses, cotton, kapok, moss, and hair.
398500-399000	Elastic webbing, woven, knit or braided
399400	Garters, arm bands, suspenders and braces of all materials
	Wood, unmanufactured:
403500	Rattan, reed, cane bamboo, and osier (raw or semimanufactured)
	Wood manufactures:
421607-421609	Veneers.
421740	Softwood plywood, interior type
422500	Shingles.
422620-423920	Millwork.
424500-424500	Furniture, chief value wood, or upholstery and wood, and specially fabricated parts, n. e. c.
424600	Furniture and specially fabricated parts, n e c., chief value rattan, reed, cane, willow, grass or fiber.
427000	Shoe lasts.
428500-428900	Handles (including pulls, knobs, helves, hafts, grips, and backs)
429150	Pencil slats.
429500	Used or salvaged building and construction materials of wood except fuel wood
429850	Woodenware (kitchen and household)
430000-430900	Cork and manufactures
	Paper, related products and manufactures:
	Fine paper:
480900	Writing paper
481300	Cover paper.
	Converted paper and board products:
487150	Specialty bags.
488000	Facial tissues and handkerchiefs
488100	Table napkins.
488200	Toilet tissue, except stock
489400	Wallpaper, printed.
	Stone, hydraulic cement, and lime:
510100	Marble and other building and monumental stone, rough or dressed
512700	Manufactures of stone, n. e. c., except crushed stone
517000	Concrete and cement manufactures
	Glass and products:
521510	Sheet and window glass, except colored and laminated
521800	Rolled glass, except colored.
522010	Colored glass, except laminated including obscure and unobscured
523093	Flat glass and products, n e c
523150	Glass bricks and blocks.
523400	Unfilled beverage bottles (new or used).
523710-521018	Table and kitchen glassware
525500	Lamp chimneys and lantern globes

Schedule B No	Commodity
	Glass and products—Continued
526100	Globes and shades for lighting fixtures
	Clay and products:
530907-530912	Clays, except fire clay
	Pottery:
532010-532050	Table and kitchen articles and utensils for use in cooking, preparing, serving and storing food and drink
533210-533400	Sanitary articles
533900	Other pottery.
536000-537600	Structural clay products (except pottery and refractories)
	Other nonmetallic minerals:
540000	Asphalt tile.
547100	Asphalt and bitumen, natural, manufactures, n e c
548350-548700	Gypsum and manufactures.
549010	Rock wool, glass wool and other semirigid and "fill" mineral insulating materials, n e c
572400	Salt, crude and refined
590033	Gravel.
590035-590037	Stone, crushed, ground, or broken
	Metal manufactures:
	Cutlery (except table flatware) and parts:
611200	Razors, safety, except electric
611300	Safety razor blades.
611410	Scissors, shears, clippers and snips, n. e. c.
611600	Butchers' and kitchen knives, forks cleavers, and steels
611890	Cutlery (except table flatware) n. e. c., and specially fabricated parts n e c
	Table flatware and specially fabricated parts n e c:
611920	Silver plated.
611940	Nonferrous metals, except precious.
611950	Iron and steel (including stainless steel and plated with nonprecious metals)
611990	Hollow ware, solid or plated, and specially fabricated parts, n e c: Metals, except precious (including stainless steel).
612010-612355	Cooking, kitchen, and hospital utensils, and specially fabricated parts, n. e. c.
612358	Kitchen appliances and tools, hand operated, and specially fabricated parts, n e c
612360	Vitreous enameled products n. e. c., and specially fabricated parts, n. e. c.
612370	Tinware and other sheet metal ware, n e c (including galvanized) and specially fabricated parts, n e c
	Furniture and fixtures of all metals:
613010	Metal cases, cabinets, counters, and other fixtures, n. e c., and specially fabricated parts, n. e. c
613110-613250	Vertical record filing cabinets with exposed drawers or trays
613270	Visible record filing cabinets.
613310	Safes, insulated, with or without interior equipment
613410	Vault doors, vault interior equipment, and specially fabricated parts, n e c.
613510-613530	Office desks, tables, and chairs.
613610 613650	Metal household furniture and specially fabricated parts, n e c.
	Hardware:
617010-618110	Locks (all metals).
618150	Hinges and butts (all metals).
618840	Hardware n. e. c., metals other than iron, steel, or copperbase alloys
618851-618859	Plumbing fixtures and fittings, n. e c.
628983-618985	Sash, sections, and frames, door and window.
618991-618993	Venetian blinds (including slats and strip), and specially fabricated parts, n e c.
619861-619865	Metal signs, except electric.
693910	Silver plated manufactures, n. e. c.
	Electrical machinery and apparatus:
707395	Electric commercial cooking and food service equipment, n e c., and specially fabricated parts, n. e. c.
	Other industrial machines, and parts:
760920	Baking machines, n. e. c., and specially fabricated parts, n. e. c.
761100	Sugar mill machines, n. e c., and specially fabricated parts, n. e. c.
761310-761320	Bottling, bottle-washing, and bottle-labeling machines, and specially fabricated parts, n. e. c.
761510	Meat and other food cutting, chopping and slicing power-driven machines, n e c., and specially fabricated parts, n. e. c.
762000	Cigarette and cigar making, and tobacco processing machines, n e c., and specially fabricated parts, n. e. c.
762700-762310	Paper converting machines, and specially fabricated parts, n. e. c.
773810-773850	Commercial laundry and dry cleaning equipment (including power-driven machines) and parts.
774310	Household scales.
	Other vehicles and parts:
797100-797105	Bicycles, and specially fabricated parts and accessories n e c.
797130	Farm wagons, drays, and trailers.
799990	Vehicles, n. e c., and specially fabricated parts, n e c, except logging wagons, motor scooters, sno cats, and sno cat trailers
	Coal-tar products:
805909	Coal-tar dyes and stains, n. e. c. the following only, in small packages of 2 ounces or less: dye tablets; easter egg colors, except of vegetable origin; food coloring, except of vegetable origin; hair tints and dyes; and household tints and dyes
	Medicinal and pharmaceutical preparations:
814800	Mouth washes, gargles, and personal antiseptics
	Chemical specialties:
823000	Baking powder

Schedule B No.	Commodity
827400	Cementing preparations for repairing, sealing, and adhesive use, the following only: automobile top sealer; floor cement; linoleum cement, except rubber; linoleum paste, except rubber; roofing cement; and running board cement.
828950	Specialty cleaning and washing compounds, the following only, in containers of one pound or less: auto body cleaner; cleaning powders; drainpipe cleaners; drainpipe solvents; rust removers, laundry; sweeping compounds; venetian blind cleaner; wall cleaners; and wallpaper cleaners.
	Polishes:
829000	Stove polishes.
829100	Shoe polishes and shoe cleaners.
829400	Automobile polishes.
829540	Aromatic compounds containing natural and/or synthetic essential oils and/or aromatic chemicals of natural and synthetic origin for perfumery use.
829555–829595	Flavors and flavoring extracts, natural and synthetic.
829600	Pectin and preparations.
829990	Chemical specialty compounds, n. e. c., the following only: brewers' findings; brewers' sugar; chemical compounds, for manufacturing ice cream; chill proofing compound; clarifier for beer or ale; clarifying powder, for wines; hot finishing powder; ink eradicators; laundry soap; lipstick bases; lipstick waxes; marble polish; meat curing compound; rosin size; shaving cream base, concentrated; silk-stocking savers, in tablet form; and yeast food (dough conditioner).
	Industrial chemicals (exclusive of medicinal chemicals, U. S. P. and N. F.):
835900	Cream of tartar (synthetic included).
836700	Sodium bicarbonate or baking soda.
	Pigments, paints and varnishes:
843110	Artists' colors.
843210–843250	Water thinned paints (all types).
843800	Ready-mixed paints, stains and enamels, the following only: concrete floor paint; tire paint; touch-up paint; wall primer, except cellulose, lacquers and bituminе enamel; wood filler, liquid; and wood stain, liquid.
	Soap and toilet preparations:
	Soaps:
871100	Toilet, in bars.
871150–871250	Shaving creams, cakes, powders and sticks.
871600–872900	Other soap, except laundry and household soap in bars.
873400	Dental creams (including tooth paste).
873500	Dental preparations, n. e. c., except oral sodium perborate powder.
874000–877000	Toilet preparations.
	Musical instruments, parts, and accessories:
921100–921200	Pianos.
923000	Pipe organs.
924200	Phonograph records.
924700–929700	Other musical instruments, and specially fabricated parts and accessories, n. e. c., except electric and electronic organs, and phonographs and parts.
	Miscellaneous office supplies:
930310–930600	Pencils (including mechanical), pencil leads, and crayons.
930800–931100	Ball type pens and fountain pens.
931300	Ball pen refill ink cartridges.
931650	Carbon steel pen points, plain or plated.
931800	Desk pen sets.
932100–932900	Ink.
939900	Office supplies, n. e. c., and specially fabricated parts, n. e. c.
940000–944900	Toys, athletic and sporting goods.
951000–952300, 955300–956900	Books, maps, pictures and other printed matter, n. e. c., except photographs, blueprints and technical data.
	Miscellaneous commodities, n. e. c.:
957100	1-day alarm clocks.
958000	Watches, without jewels, complete.
958200	Watch movements, without jewels.
961000	Paintings, etchings, engravings, statuary (except religious) and antiques
962100–962900	Jewelry and other personal ornaments, all materials, except solid gold, platinum, and platinum allied metals.
971100–971300	Buttons and parts.
980000	Matches.
981510	Plastic kitchen and tableware.
982110	Synthetic sponges.
982120	Natural sponges, animal.
982200–982691	Brushes.
982700	Combs, except wholly of rubber.
982800–982900	Smokers' articles, n. e. c., and specially fabricated parts, n. e. c.
983100–983150	Umbrellas and parasols, and specially fabricated parts, n. e. c.
983200	Candles, except pyrotechnic.
983500	Religious articles, n. e. c. and specially fabricated parts, n. e. c.
984005	Beads and bead articles, n. e. c.
984008	Snap fasteners.
984015	Zippers (including slide fasteners), and specially fabricated parts, n. e. c.
984098	Notions, novelties, specialties, and specially fabricated parts, n. e. c.
984600	Soda fountain and bar equipment, and specially fabricated parts, n. e. c.
984700	Barber and beauty shop equipment, n. e. c., and specially fabricated parts, n. e. c.
985300	Shoe findings, n. e. c.
987100–987200	Coin-operated machines, n. e. c.

2. Section 373.49 *Machinery and parts* is amended by adding a footnote reference 1 to the title thereof and the following footnote:

[1] Parts and accessories which are to be scrapped are properly classified as iron and steel scrap (Schedule B Nos. 601010, 601040, 601050, 601070, 601090, 601150, 601170). These commodities are subject, therefore, to the regulations applicable to iron and steel scrap (§ 373.40 (e)) rather than to the provisions of this section.

3. Section 373.55 *Chemicals and medicinals* paragraph (c) *Cobalt-containing products* is amended to read as follows:

(c) *Cobalt-containing products.* (1) All applications for licenses to export the following cobalt-containing products shall include (in addition to the total net weight of the commodity) the weight in pounds of the cobalt contained in the commodity. This information shall be entered in the commodity description column of Form IT–419.

Schedule B No.	Commodity
829970	Cobalt reagents.
829990	Cobalt combustion catalysts.
839750, 839900	Cobalt compounds.
842900	Cobalt-containing pigments.
843600	Cobalt-containing paint and varnish driers.

(2) In addition, applications for licenses to export the cobalt-containing products above, which are manufactured or processed under toll agreement from cobalt materials received from foreign sources or which are prepared from cobalt scrap or residues unsuitable for metallurgical use, will be considered without regard to export quotas if they bear on the face of the application, Form IT–419, one of the following applicable certifications:

The materials described on this application are manufactured or processed in the United States under toll agreement from cobalt materials received from (name of country of origin).

The materials described on this application are manufactured or produced from cobalt scrap or residues unsuitable for metallurgical use.

4. Section 374.2 *Application procedure* is amended in the following particulars:

a. Paragraph (b) (1) (ii) is amended to delete the phrase "as shown on the statement of estimated requirements (see subparagraph (4) of this paragraph)"

b. Paragraph (b) (4) is amended to read as follows:

(4) *Statement of estimated requirements.* The statement of estimated requirements shall specify the estimated commodity requirements necessitating validated export license for the project or, in the case of a program, for one year, or less if the program is of shorter duration. Such statement shall be made in terms of broad descriptive categories corresponding with the unnumbered commodity subgroup headings which appear on the Positive List under the main numbered commodity group headings. In addition, the total dollar value of the requirements for each category of commodities whether or not an individual Form IT–375 is required (see paragraph (c) (1) and (2) of this section) shall be included in connection with all project license applications except a DL project license application for a Group O country. Examples are indicated below:

Under Commodity Group 2, "Rubber (Natural Allied Gums, and Synthetics) and Manufactures"—$7,000.

Under Commodity Group 5, "Petroleum and Products"—$120,000.

Under Commodity Group 6, "Metal Manufactures"—$150,000.

Under Commodity Group 7, "Electrical Machinery and Apparatus"—$200,000.

c. Paragraph (b) (4) (i) is amended to read as follows:

(i) *DL license.* If the project application is approved for a DL license, one copy of the statement of estimated requirements will be validated and attached to the export license, Form IT–628, and will serve as a supplemental document to be presented to the Collector of Customs at the port of exit upon demand to clear other than restricted commodities. (Restricted commodities are identified on the Positive List by the letter "B" in the column headed "Commodity Lists.") Non-restricted commodities may be shipped in unlimited quantities to a project in a Group O country, provided that the commodities fall under commodity subgroup headings listed on the validated statement of estimated requirements. Shipments of non-restricted commodities to a project in a Group R country are limited to the total

dollar value of the applicable commodity subgroup heading(s) shown on the validated statement of estimated requirements. Restricted commodities may be shipped to a project in a Group R or Group O country only in accordance with the procedure described in paragraph (c) (1) of this section.

d. Paragraph (b) (4) (ii) is amended to add the heading: *SP license.*

5. Section 382.51 *Table of compliance orders currently in effect denying export privileges,* paragraph (b) *Table of compliance orders* is amended in the following particulars:

a. The following entries are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Rofe, Charles Y., 138-30 64th Ave., Flushing, Long Island, N. Y.	10-1-53	10-1-54 (10-2-55) [1]	Validated licenses, all commodities, any destination.	18 F. R. 6365, 10-6-53.

[1] This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph 1 of Supplement No. 1 to Part 382.

b. The following entries are deleted:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Fajardo-Duarte, Francisco, Mexicali, B. C., Mexico.	7-17-53	Until completion of administrative compliance proceedings.	General and validated licenses, all commodities, any destination; also exports to Canada.	18 F. R. 2962, 5-22-53. 18 F. R. 4390, 7-24-53. 18 F. R. 6321, 10-2-53.
Gonzalez-Cota, Rafael, c/o Ignacio Grande, Mexicali, B. C., Mexico.	7-17-53	do	do	18 F. R. 4390, 7-24-53. 18 F. R. 6321, 10-2-53.

c. The following entry is modified to read as follows:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Peralta-Yepiz, Jesus, 607 Aguascalientes Ave., Mexicali, B. C., Mexico.	9-28-53	11-28-53 (9-28-54) [1]	General and validated licenses, all commodities, any destination; also exports to Mexico and Canada.	18 F. R. 2962, 5-22-53. 18 F. R. 4390, 7-24-53. 18 F. R. 6321, 10-2-53.

[1] This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph 1 of Supplement No. 1 to Part 382.

This amendment shall become effective as of October 22, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

EARL L. ANDERSON,
Acting Director,
Bureau of Foreign Commerce.

[F. R. Doc. 53-9156; Filed, Oct. 30, 1953; 8:45 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 511—INDUSTRY COMMITTEE REGULATIONS

PER DIEM AND EXPENSE ALLOWANCE FOR INDUSTRY COMMITTEE MEMBERS

Pursuant to authority vested in me by section 5 (c) of the Fair Labor Standards Act of 1938, § 511.8 *Per diem and expense allowance for committee members,* as amended (14 F. R. 6383) is further amended by changing the figure "$25" which appears in the first sentence thereof to "$40"

This amendment shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 5, 52 Stat. 1062, as amended; 29 U. S. C. 205)

Signed at Washington, D. C., this 27th day of October 1953.

WM. R. MCCOMB,
Administrator.

[F. R. Doc. 53-9212; Filed, Oct. 30, 1953; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M-17, as Amended October 30, 1953]

M-17—COMPONENTS OR PARTS

This amended order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended order there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations.

This amended order affects BDSA Order M-17 (formerly NPA Order M-17) as amended June 12, 1953, by adding transistors and crystal diodes to the table in section 5. It also adds a proviso at the end of section 4, and makes various minor changes in other sections.

Sec.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, Pub. Law 95, 83d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 95, 83d Cong.; 50 U. S. C. App. Sup. 2071; E. O. 10480, Aug. 14, 1953, 18 F. R. 4939.

SECTION 1. *What this order does.* This order applies particularly to manufacturers of the components or parts listed in Column A of section 5 of this order. It makes provision for and sets forth ceiling limitations for required acceptance of rated orders for shipment during any given month based on a stated percentage either of the scheduled production of a particular type of a listed component or part for that month or of the average monthly shipments of such particular type during a specified base period, whichever is greater. Its purpose is to provide equitable distribution of rated orders among the manufacturers of the specified components or parts in order to achieve maximum production and to reduce to a minimum any disruption of normal distribution.

SEC. 2. *Applicability of BDSA Reg. 2.* This order supplements BDSA Reg. 2 (formerly NPA Reg. 2) but only those provisions of BDSA Reg. 2 which are contradictory to this order are superseded, and all other provisions of that regulation shall continue to apply to manufacturers of components or parts.

SEC. 3. *Required shipment dates.* A rated order for any component or part listed in Column A of section 5 of this order must specify shipment on a particular date or during a particular month, which may in neither case be earlier than that required by the person placing the order. The manufacturer of such component or part must schedule the order for shipment within the requested month as close to the requested shipment date as is practicable considering the need for maximum production.

SEC. 4. *Limitations for acceptance of rated orders.* Unless specifically directed by BDSA, no manufacturer of components or parts shall be required to accept rated orders for any particular type of any one of the components or parts which are listed in Column A of section

5 of this order, for shipment in any one month from any one of his producing units, regardless of location, in excess of the associated percentage set forth in Column B of section 5 of this order of either (a) his production schedule for that month of that particular type of such component or part or (b) his average monthly shipments during the period from January 1, 1950, through August 31, 1950, of that particular type, made by him, whichever is greater: *Provided, however* That no such manufacturer shall cancel or postpone delivery of any rated orders already accepted because such orders exceed the associated percentage set forth in Column B of section 5 of this order.

SEC. 5. *Components or parts; product limitations.* The components or parts to which this order applies and the limitation percentages for acceptance of rated orders pursuant to section 4 of this order are as follows:

Column A Components or parts to which this order applies:	Column B *Product limitation percentage*
(a) Electron tubes (except power tubes)	
Tubes or types of tubes produced by only one company	50
Tubes or types of tubes produced by more than one company	25
(b) Transistors:	
Transistors or types of transistors produced by only one company	50
Transistors or types of transistors produced by more than one company	25
(c) Crystal diodes:	
Crystal diodes or types of crystal diodes produced by only one company	50
Crystal diodes or types of crystal diodes produced by more than one company	25

SEC. 6. *BDSA assistance in placing rated orders.* Any person who is unable to place a rated order due to the limitations imposed by section 4 of this order may apply to the Business and Defense Services Administration, Washington 25, D. C., Ref: M-17, specifying the manufacturers who refused to accept the order. The Business and Defense Services Administration will arrange to assist him in locating sources of supply.

SEC. 7. *Request for adjustment or exception.* Any person subject to any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry or that its enforcement against him would not be in the interest of the national defense or in the public interest. The filing of a request for adjustment or exception shall not relieve any person of his obligation to comply with any such provision. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 8. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the Business and Defense Services Administration, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the Business and Defense Services Administration as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F)

SEC. 9. *Communications.* All communications concerning this order shall be addressed to the Business and Defense Services Administration, Washington 25, D. C., Ref: BDSA Order M-17.

SEC. 10. *False statements.* The furnishing of false information or the concealment of any material fact by any person in the course of operation under this order constitutes a violation of this order by such person.

SEC. 11. *Violations.* Violation of any provision of this order may subject any person committing or participating in such violation to administrative action to suspend his privilege of making or receiving further deliveries of materials, or using materials or facilities, under priority or allocation control and to deprive him of further priority and allocation assistance. In addition to such administrative action, an injunction and order may be obtained prohibiting any such violation and enforcing compliance with the provisions hereof. Any person who wilfully violates any provision of this order, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect October 30, 1953.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
By WILLIAM E. HAINES,
Assistant Deputy Administrator

[F. R. Doc. 53-9287; Filed, Oct. 30, 1953; 10:20 a. m.]

Chapter XXI—Defense Rental Areas Division, Office of Defense Mobilization

[Rent Regulation 1, Amdt. 163 to Schedule A]

[Rent Regulation 2, Amdt. 161 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTALS AREAS

ARIZONA AND MAINE

Effective October 31, 1953, Rent Regulation 1 and Rent Regulation 2 are amended so that the items of Schedule A indicated below read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 27th day of October 1953.

GLENWOOD J. SHERRARD,
Director,
Defense Rental Areas Division.

(15) [Revoked and decontrolled.]
(138) [Revoked and decontrolled.]

These amendments decontrol the following defense-rental areas on the initiative of the Director, Defense Rental Areas Division, Office of Defense Mobilization, under section 204 (c) of the Act: Flagstaff (Arizona) and Presque Isle-Limestone (Maine) Defense-Rental Areas.

[F. R. Doc. 53-9266; Filed, Oct. 29, 1953; 2:42 p. m.]

[Rent Regulation 1, Amdt. 164 to Schedule A]

[Rent Regulation 2, Amdt. 162 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

CALIFORNIA

Effective October 31, 1953, Rent Regulation 1 and Rent Regulation 2 are amended so that the items of Schedule A indicated below read as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 27th day of October 1953.

GLENWOOD J. SHERRARD,
Director,
Defense Rental Areas Division.

(39) [Revoked and decontrolled.]

These amendments decontrol the following defense-rental area on the initiative of the Director, Defense Rental Areas Division, Office of Defense Mobili-

zation, under section 204 (c) of the act: Camp Roberts (California) Defense-Rental Area.

[F. R. Doc. 53-9268; Filed, Oct. 29, 1953; 2:42 p. m.]

[Rent Regulation 3, Amdt. 153 to Schedule A]

[Rent Regulation 4, Amdt. 97 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

ARIZONA AND MAINE

Effective October 31, 1953, Rent Regulation 3 and Rent Regulation 4 are amended so that the item of Schedule A indicated below reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 27th day of October 1953.

GLENWOOD J. SHERRARD,
Director
Defense Rental Areas Division.

(15) [Revoked and decontrolled.]
(138) [Revoked and decontrolled.]

These amendments decontrol the following defense-rental areas on the initiative of the Director, Defense Rental Areas Division, Office of Defense Mobilization, under section 204 (c) of the act: Flagstaff (Arizona) and Presque Isle-Limestone (Maine) Defense-Rental Areas.

[F. R. Doc. 53-9267; Filed, Oct. 29, 1953; 2:42 p. m.]

[Rent Regulation 3, Amdt. 154 to Schedule A]

[Rent Regulation 4, Amdt. 98 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

CALIFORNIA

Effective October 31, 1953, Rent Regulation 3 and Rent Regulation 4 are amended so that the item of Schedule A indicated below reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 27th day of October 1953.

GLENWOOD J. SHERRARD,
Director
Defense Rental Areas Division.

(39) [Revoked and decontrolled.]

These amendments decontrol the following defense-rental area on the initiative of the Director, Defense Rental Areas Division, Office of Defense Mobilization, under section 204 (c) of the act: Camp Roberts (California) Defense-Rental Area.

[F. R. Doc. 53-9269; Filed, Oct. 29, 1953; 2:42 p. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 135—GENERAL

In § 135.53 *Security standards* amend paragraph (b) by adding thereto a new subparagraph (8) to read as follows:

(8) Refusal by the individual, upon the ground of constitutional privilege against self-incrimination, to testify before a congressional committee regarding charges of his alleged disloyalty or other misconduct.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25, secs. 1, 2, 3, 64 Stat. 476; 5 U. S. C. 22, 22-1, 22-2, 22-3, 369; E. O. 10450, 18 F. R. 2489, E. O. 10491, 18 F. R. 6583)

[SEAL] DOUGLAS MCKEEVER,
Acting Solicitor.

[F. R. Doc. 53-9218; Filed, Oct. 30, 1953; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR Part 151]

DOGS

RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

Notice is hereby given that the Secretary of Agriculture, pursuant to the Authority vested in him by section 201, Paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C. and Supp., Sec. 1201, Par. 1606) proposes to recognize the book of record of purebred dogs entitled "Teckel Stammbuch" sponsored by the Deutscher Teckelklub, E. V., Duisburg, Rhineland, Moselstrasse 7, Germany, of which Joseph Chateau is Stud Book Keeper, and to amend the regulations governing the recognition of breeds and books of record of purebred animals by adding the name of the stud book to the list of books of record named in 9 CFR 151.10 (a) as amended, under the subheading "Dogs"

Any person who wishes to submit written data, views, or arguments concerning the proposed action may do so by filing them with the Chief of the Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within thirty days after the date of publication of this notice in the FEDERAL REGISTER.

(Sec. 201, Par. 1606, 46 Stat. 673 as amended by 62 Stat. 161; 19 U. S. C. and Supp., Sec. 1201, Par. 1606)

Done at Washington, D. C., this 27th day of October 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-9223; Filed, Oct. 30, 1953; 8:50 a. m.]

Production and Marketing Administration

[7 CFR Part 51]

BRUSSELS SPROUTS

UNITED STATES STANDARDS FOR GRADES[1]

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Brussels Sprouts under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1954 (Pub. Law 156, 83d Cong., approved July 28, 1953)

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with E. E. Conklin, Chief, Fresh Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, South Building, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the thirtieth (30) day after the date of publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 51.453 *Standards for Brussels Sprouts*—(a) *Grades*—(1) *U. S. No. 1.* U. S. No. 1 consists of Brussels sprouts which are well colored, firm, not withered or burst, which are free from soft decay and seedstems, and free from damage caused by discoloration, dirt or other foreign material, freezing, disease, insects, or mechanical or other means.

(i) Unless otherwise specified, the diameter of each Brussels sprout shall be not less than one inch.

(ii) In order to allow for variations incident to proper grading and handling, other than for size, not more than a total of 10 percent, by weight, of the Brussels sprouts in any lot may fail to meet the requirements of the grade: *Provided,* That not more than one-fifth of this amount, or 2 percent, shall be allowed for soft decay. In addition, not more than a total of 5 percent, by weight, of the Brussels sprouts in any lot may be smaller than the specified minimum diameter.

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(2) *U. S. No. 2.* U. S. No. 2 consists of Brussels sprouts which are fairly well colored, fairly firm, not withered or burst, which are free from soft decay and seedstems, and free from damage caused by insects, and free from serious damage caused by discoloration, dirt or other foreign material, freezing, disease or mechanical or other means.

(i) Unless otherwise specified, the diameter of each Brussels sprout shall be not less than one inch.

(ii) In order to allow for variations incident to proper grading and handling, other than for size, not more than a total of 10 percent, by weight, of the Brussels sprouts in any lot may fail to meet the requirements of the grade: *Provided,* That not more than one-fifth of this amount, or 2 percent, shall be allowed for soft decay. In addition, not more than a total of 5 percent, by weight, of the Brussels sprouts in any lot may be smaller than the specified minimum diameter.

(b) *Unclassified.* Unclassified consists of Brussels sprouts which have not been classified in accordance with the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

(c) *Application of tolerances.* (1) The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: *Provided,* That the averages for the entire lot are within the tolerances specified for the grade:

(i) For a tolerance of 10 percent or more, individual packages in any lot may contain not more than one and one-half times the tolerance specified.

(ii) For a tolerance of less than 10 percent, individual packages in any lot may contain not more than double the tolerance specified, except that at least one defective and one off-size specimen may be permitted in any package.

(d) *Basis for calculating percentages.* Percentages shall be calculated on the basis of weight or an equivalent basis.

(e) *Definitions.* (1) "Well colored" means that the Brussels sprout has a light green or a darker shade of green color characteristic of well-grown Brussels sprouts.

(2) "Firm" means that the Brussels sprout is of reasonable solidity and is fairly compact but may yield slightly to moderate pressure.

(3) "Seedstems" means Brussels sprouts which have seedstalks showing or in which the formation of seedstalks has plainly begun.

(4) "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the Brussels sprout. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(i) Discoloration when the appearance is materially affected by discolored leaves or parts of leaves; and,

(ii) Insects when there is more than slight aphis infestation within the compact portion of the head, or when the outer leaves are badly infested by them; or when slugs, worms or worm frass are present, or when the appearance is materially affected by slug or worm injury.

(5) "Diameter" means the greatest dimension measured at right angles to a line running from the stem to the apex of the Brussels sprout.

(6) "Fairly well colored" means that the Brussels sprout shall not be lighter than yellowish-green color.

(7) "Fairly firm" means that the Brussels sprout is not soft or puffy and is of reasonable weight for its size but may have considerable open spaces between the leaves in the lower portion of the head.

(8) "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the Brussels sprout.

Done at Washington, D. C., this 27th day of October 1953.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator Production and Marketing Administration.

[F. R. Doc. 53-9224; Filed, Oct. 30, 1953; 8:50 a. m.]

[7 CFR Part 965]

[Docket No. AO-166-A18]

HANDLING OF MILK IN CINCINNATI, OHIO, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the following findings and conclusions were formulated, was conducted at Cincinnati, Ohio, on October 16, 1953, pursuant to notice thereof which was issued on October 8, 1953 (18 F. R. 6468)

The material issues of record related to:

1. The pricing of Class I and Class II milk during the next few months; and

2. The limitation of the amount of the supply-demand adjustment during certain spring and summer months.

Findings and conclusions. The following findings and conclusions on the material issues are based upon the evidence introduced at the hearing and the record thereof.

Class I and Class II prices during the next few months. No change should be made in the order which would affect Class I and Class II prices.

A proposal considered at the hearing would cause the Class I and Class II differentials (amounts to be added to the basic formula price in determining Class I and Class II prices) to be not less than $1.80 and $1.35, respectively, through March 1954. Justification for this proposal was sought in unfavorable milk production conditions now existing in the milk supply area as a result of a serious drought. Denial of this proposal is not to deny that such unfavorable conditions exist—the record shows that production conditions have been unfavorable for several months. Denial of this proposal is based on evidence that the present order provisions will establish prices reflecting these unfavorable conditions—thus no changes in the order are necessary.

In June 1953, which is the month in which unfavorable production conditions first became apparent, the supply-demand adjustment to the Class I and Class II prices was zero. (The supply-demand adjustment is the result of a calculation prescribed in the order and is designed to automatically cause changes in Class I and Class II prices in response to changes in the relationship between market supplies of milk and market requirements for milk.) The supply-demand adjustment for November has already been established at plus 26 cents. This will result in a Class I differential of $1.61—19 cents less than the proposed floor. The supply-demand adjustment for December will be based on the supply-demand relationship in September and October. September market data are available and on the basis of such data a supply-demand adjustment of at least 38 cents (or a Class I differential of $1.73) is virtually assured for December. If certain estimates appearing in the hearing record of supplies of producer milk and Class I and Class II volumes in October and November prove to be approximately correct, then the supply-demand adjustment for December will be 50 cents (and the Class I differential $1.85) and for the next few months after December will be 38 cents. Thus Class I and Class II prices at approximately the levels proposed appear to be in definite prospect without changing the order provisions, and no change is necessary. The supply-demand adjustment appears to be accurately reflecting changes in supply-demand relationships.

Limitations on the amount of the supply-demand adjustment. No change should be made in order provisions which place a maximum limit on the amount of the supply-demand adjustment in July, August, and September at what it was in June. The specific pro-

posal considered at the hearing would change the months of limitation so that the maximum limit would be in effect in May, June, and July and would be the amount of the supply-demand adjustment for April.

This maximum limitation complements a minimum limitation applicable in December, January, and February. Consideration of a change in the maximum limitation should thus be accompanied by consideration of a complementing change in the minimum limitation.

It appears that the specific proposal here under consideration would have the net effect of increasing the amount of the supply-demand adjustment in certain months. No such increase is justified.

Proponents claimed that the present maximum limitation provisions prevent the supply-demand adjustment from reflecting during July, August, and September price increases which may be appropriate on the basis of market conditions, and particularly so this year. This may be true; but, on the other hand, the minimum limitation provisions prevent the supply-demand adjustment from reflecting during December, January, and February price reductions which may be appropriate on the basis of market conditions. Thus these limitation provisions (both maximum and minimum) conflict to some extent with the intended purpose of the supply-demand adjustment, which is to cause prompt automatic price changes in response to changes in the relationship between market supplies and market requirements. This conflict could be removed by completely eliminating the maximum and minimum limitation provisions referred to above, but such a change is not justified at this time on the basis of the record.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of certain interested persons.

The briefs contained proposed findings and conclusions, and arguments with respect to the provisions of the proposed amendment. Every point covered in the briefs was carefully considered along with evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended marketing agreement and amendment to the order. No amendment is necessary in this proceeding because the present provisions of the order, as amended will effectuate the foregoing conclusions.

Filed at Washington, D. C., this 27th day of October 1953.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 53-9225; Filed, Oct. 30, 1953; 8:50 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

STATEMENT OF ORGANIZATION

MISCELLANEOUS AMENDMENTS

The following amendments to the Statement of Organization of the Immigration and Naturalization Service (17 F. R. 11613, December 19, 1952), as amended, are hereby prescribed:

1. Section 1.31 is amended by deleting paragraph (nn) and by redesignating paragraphs (oo) through (fff) as paragraphs (nn) through (eee).

2. Paragraphs (b) and (xx) of section 1.36 are amended so that when taken with the introductory material they will read as follows:

SEC. 1.36 *Final authority: delegation to district directors.* The district directors have been delegated final authority to take any action required or authorized to be taken by Chapter I of Title 8 of the Code of Federal Regulations with respect to the following matters:

* * * * *

(b) Approval of certain immigration bonds on forms approved by the Commissioner, extensions of liability, and powers of attorney authorizing the delivery of collateral security; cancellation of bonds; requests by obligors for release from liability; and determinations that conditions of bonds have been violated as provided in 8 CFR 3.1,

* * * * *

(xx) Consent to pay off or discharge alien crewmen admitted under section 252 (a) (1) of the Immigration and Nationality Act as provided in 8 CFR 256.2;

3. Paragraph (a) of section 1.37 is amended so that when taken with the introductory material it will read as follows:

SEC. 1.37 *Final authority; delegation to officers in charge.* The officers in charge have been delegated final authority to take any action required or authorized to be taken by Chapter I of Title 8 of the Code of Federal Regulations with respect to the following matters:

(a) Approval of certain immigration bonds on forms approved by the Commissioner, extensions of liability, and powers of attorney authorizing the delivery of collateral security; cancellation of bonds; requests by obligors for release from liability; and determinations that conditions of bonds have been violated as provided in 8 CFR 3.1.

Dated: September 16, 1953.

WILLIAM P. ROGERS,
Acting Attorney General.

Recommended: September 3, 1953.

ARGYLE R. MACKEY,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 53-9211; Filed, Oct. 30, 1953; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 62501]

CALIFORNIA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM AMERICAN RIVER INVESTIGATIONS, CENTRAL VALLEY PROJECT, CALIFORNIA

OCTOBER 27, 1953.

An order of the Bureau of Reclamation dated August 30, 1951, concurred in by the Assistant Director, Bureau of Land Management, October 10, 1951, revoked Departmental Order No. 2515 of April 7, 1949, so far as it withdrew under the provision of the Reclamation Act of June 17, 1902 (32 Stat. 388) the following-described land in connection with the American River Investigations, Central Valley Project, California: *And provided,* That such revocation should not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

MOUNT DIABLO MERIDIAN

T. 10 N., R. 9 E.,
Sec. 14, W½SW¼SE¼ and SE¼SW¼SE¼.

The areas described aggregate 30 acres.

The land is not suitable for cultivation. It is primarily adapted to grazing. It is mainly suitable for disposal by State selection or public sale. It is unlikely that it will be classified for any other disposition but any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they can be classified.

This order shall not become effective to change the status of the described lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284) as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be ob-

tained on request from the Manager of the Land Office, Sacramento, California.

WILLIAM PINCUS,
Assistant Director

[F. R. Doc. 53-9210; Filed, Oct. 30, 1953; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6098 et al.]

AMERICAN AIR LINES, INC., AND EASTERN AIR LINES, INC., SHORT HAUL COACH FARE INVESTIGATION

NOTICE OF HEARING

In the matter of certain coach fares and schedules proposed by American Airlines, Inc., and Eastern Air Lines, Inc., known as the Short Haul Coach Fare Investigation.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding previously postponed from October 22, 1953, is hereby reassigned for hearing before Examiner Paul N. Pfeiffer on November 2, 1953, at 10:00 a. m., e. s. t., in Room 1205, Temporary Building No. 4, Seventeenth Street and Constitution Avenue NW., Washington, D. C.

Dated at Washington, D. C., October 28, 1953.

[SEAL] FRANCIS W BROWN,
Chief Examiner

[F. R. Doc. 53-9230; Filed, Oct. 30, 1953; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-2229, G-2231, G-2232, G-2242]

NORTHWEST ALABAMA GAS DISTRICT ET AL.

ORDER DENYING REQUESTS FOR SHORTENED PROCEDURE, CONSOLIDATING PROCEEDINGS, AND FIXING DATE OF HEARING

In the matters of Northwest Alabama Gas District, Docket No. G-2229, Town of DeKalb, Mississippi, Docket No. G-2231, Mississippi Valley Gas Company, Docket No. G-2232, City of Villa Rica, Georgia, Docket No. G-2242.

Northwest Alabama Gas District (Northwest Alabama) a public corporation organized and existing under the laws of the State of Alabama, with its principal place of business in Hamilton, Alabama, on August 14, 1953, filed an application pursuant to section 7 (a) of the Natural Gas Act for an order directing Southern Natural Gas Company (Southern Natural) to establish physical connection of its transmission facilities with the facilities proposed to be constructed by Applicant for sale and delivery of natural gas for distribution in the communities of Gun, Hackleburg, Haleyville, Hamilton, Sulligent, Winfield, Bear Creek, and Boston, all in Alabama. Applicant also proposes to provide natural gas service to the City of Fayette, Alabama, which has itself filed an application in Docket No. G-2188 pursuant to section 7 (a) of the Natural Gas Act for an order directing Southern Natural to serve it.

Due notice of the filing of said application has been given, including publication in the FEDERAL REGISTER on September 4, 1953 (18 F. R. 5375)

The Town of De Kalb, Mississippi (De Kalb) a municipal corporation, organized and existing under the laws of the State of Mississippi, on August 17, 1953, filed an application in Docket No. G-2231 for an order pursuant to section 7 (a) of the Natural Gas Act directing Southern Natural to establish physical connection of its natural-gas transmission facilities with a 3-inch pipe line approximately 10 miles long, to be constructed by De Kalb for the purpose of transporting gas from Southern Natural's 6-inch pipe line in Kemper County, Mississippi, to De Kalb's town border for ultimate distribution within the Town and its environs.

De Kalb has entered into a lease agreement (Exhibit B to the application) with Mississippi Valley Gas Company (Mississippi Valley) for the lease to Mississippi Valley of the proposed transmission line and distribution system for a period of 25 years pursuant to the terms set forth in Exhibit B.

Mississippi Valley, a Mississippi corporation having its principal place of business at Jackson, Mississippi, on August 17, 1953, filed an application in Docket No. G-2232 for a certificate of public convenience and necessity authorizing it to lease and operate the natural-gas facilities to be constructed by De Kalb pursuant to the lease agreement referred to above.

Due notice of the filing of said applications in Docket Nos. G-2231 and G-2232 has been given, including publication in the FEDERAL REGISTER on September 5, 1953 (18 F. R. 5395)

The City of Villa Rica, Georgia (Villa Rica) a municipal corporation organized and existing under and by virtue of the laws of the State of Georgia, on September 8, 1953, filed an application for an order pursuant to section 7 (a) of the Natural Gas Act, directing Southern Natural to establish physical connection of its transportation facilities with proposed facilities of, and to sell natural gas to, the Applicant.

The application containing a description of the facilities proposed to be constructed and the estimated load requirements of the Applicant is on file with the Commission and open to public inspection.

Due notice of the filing of said application of Villa Rica has been given, including publication in the FEDERAL REGISTER on October 3, 1953 (18 F R. 6342)

The Commission finds:

(1) Good cause has not been shown for granting of the respective requests of De Kalb and Mississippi Valley that their applications be heard under the shortened procedure as provided by the Commission's rules of practice and procedure, and said requests should be denied as hereinafter ordered.

(2) It is reasonable and appropriate in the public interest in carrying out the provisions of the Natural Gas Act, and good cause exists for consolidating the above proceedings in Docket Nos. G-2229, G-2231, G-2232, and G-2242 for purpose of hearing, and to hold a public hearing in the above-entitled proceedings at the time and place hereinafter ordered.

The Commission orders:

(A) De Kalb's and Mississippi Valley's requests that their respective applications in Docket Nos. G-2231 and G-2232 be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) be and the same are hereby denied.

(B) The aforesaid proceedings in Docket Nos. G-2229, G-2231, G-2232, and G-2242 be and the same hereby are consolidated for purposes of hearing.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7, 15, and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR Chapter I) a public hearing shall be held commencing on November 16, 1953, at 10: 00 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D. C., concerning the matters involved and the issues presented in the above-entitled proceedings.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (b) (18 CFR 1.8 and 1.37 (b)) of the Commission's rules of practice and procedure.

Adopted: October 23, 1953.

Issued: October 27, 1953.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-9214; Filed, Oct. 30, 1953; 8:47 a. m.]

[Docket No. G-2238]

SOUTHERN CALIFORNIA GAS CO., AND SOUTHERN COUNTIES GAS CO. OF CALIFORNIA

ORDER FIXING DATE OF HEARING

On September 3, 1953, Southern California Gas Company, and Southern Counties Gas Company of California (Applicants) California corporations with their principal offices in Los Angeles, California, filed joint application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of approximately 28,700 feet of 30-inch pipeline extending in a southerly direction from Applicants' 30-inch pipeline in the city of Los Angeles to a junction with Applicants' 16-inch pipeline in Los Angeles County, California, together with regulating and measuring facilities, for the transportation of natural gas subject to the jurisdiction of the Commission, as described in the application on file with the Commission, and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicants having

requested that their application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on October 7, 1953 (18 F. R. 6391)

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on November 12, 1953, at 9:30 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: October 23, 1953.

Issued: October 27, 1953.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 53-9215; Filed, Oct. 30, 1953; 8:47 a. m.]

[Docket No. G-2246]

PACIFIC GAS AND ELECTRIC CO.

ORDER FIXING DATE OF HEARING

On September 14, 1953, Pacific Gas and Electric Company (Applicant) a California corporation with its principal office in San Francisco, California, filed application with the Federal Power Commission for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 1,500 feet of 6¾-inch pipeline extending from Applicant's 20-inch Hollister-Moss Landing Pipeline to the Kaiser magnesia plant near Moss Landing in Monterey, County, California, together with odorization, regulating, and metering equipment, for the transportation of natural gas subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application including publication in the FEDERAL REGISTER on October 7, 1953 (18 F. R. 6391).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on November 12, 1953, at 9:45 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however* That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: October 23, 1953.

Issued: October 27, 1953.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 53-9216; Filed, Oct. 30, 1953; 8:48 a. m.]

[Docket Nos. G-2274, G-2275, G-2276, G-2277, G-2278, G-2281]

UNITED FUEL GAS CO.

ORDER MODIFYING ORDERS SUSPENDING PROPOSED TARIFF CHANGES

In the matters of United Fuel Gas Company, Docket No. G-2274, Atlantic Seaboard Corporation, and Virginia Gas Transmission Corporation, Docket No. G-2275, Central Kentucky Natural Gas Company, Docket No. G-2276, Commonwealth Natural Gas Corporation, Docket No. G-2277, Roanoke Pipe Line Company, Docket No. G-2278, The Ohio Fuel Gas Company, Docket No. G-2281.

The Commission, upon further consideration of the orders adopted on October 12, 1953, in Dockets Nos. G-2274, G-2275, G-2276, G-2277 and G-2278, and on October 15, 1953, in Docket No. G-2281, and issued on October 13 and 16, 1953, respectively, orders that:

The above-referenced orders be modified to the extent, and only to the extent, that in lieu of the periods of suspension therein prescribed pending hearing and decision, the respective tariff changes filed by each of the above-named companies be suspended and their use deferred until March 1, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as such tariff changes may be made effective in the manner prescribed by the Natural Gas Act.

Adopted: October 21, 1953.

Issued: October 26, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-9213; Filed, Oct. 30, 1953; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28593]

PLASTER-WALLBOARD FROM IOWA TO ILLINOIS AND MISSOURI

APPLICATION FOR RELIEF

OCTOBER 28, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for carriers parties to his tariff I. C. C. No. A-3917.

Commodities involved: Plaster-wallboard, carloads.

From: Ft. Dodge, Gypsum, and Kola, Iowa.

To: St. Louis, Mo., East St. Louis, Granite City, Madison, National City, Brooklyn, Dupo, and Venice, Ill.

Grounds for relief. Market competition.

Schedules filed containing proposed rates: W. J. Prueter's tariff I. C. C. No. A-3917, supp. 28.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 53-9227; Filed, Oct. 30, 1953; 8:51 a. m.]

[4th Sec. Application 28594]

CONCRETE BEAMS OR JOISTS BETWEEN POINTS IN WESTERN TRUNK LINE TERRITORY, AND BETWEEN POINTS IN WESTERN TRUNK LINE TERRITORY AND SOUTHWESTERN TERRITERY

APPLICATION FOR RELIEF

OCTOBER 28, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for and on behalf of carriers described in the application.

Commodities involved: Beams or joists, structural, reinforced concrete or tile, carloads.

Between: Points in western trunk line territory, and between points in that

territory, on the one hand, and points in southwestern territory, on the other.

Grounds for relief: Rail competition, circuity, to maintain grouping, and analogous commodity.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 53-9228; Filed, Oct. 30, 1953; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-63, 59-47]

REPUBLIC SERVICE CORP. AND SUBSIDIARIES

ORDER APPROVING SUPPLEMENTAL APPLICATION TO EFFECTUATE AMENDED PLAN OF REORGANIZATION

OCTOBER 26, 1953.

Republic Service Corporation ("Republic") a registered holding company, having filed a supplemental application and amendments thereto proposing to effectuate an amended joint plan of reorganization previously approved by the Commission pursuant to the provisions of section 11 (e) of the Public Utility Holding Company Act of 1935 ("act")

The transactions proposed therein being summarized as follows:

1. Republic, with stockholder approval, will reclassify its presently outstanding common stock from $10 par value to $5 par value.

2. Republic will distribute 20,092.6 shares of the common stock of General Public Utilities Corporation ("GPU") to the holders of the 70,324 shares of Republic's presently outstanding common stock on the basis of 2/7 share of GPU for each share of Republic. The distribution of shares of GPU will be transmitted to stockholders by Provident Trust Company of Philadelphia, Transfer Agent for the shares of Republic, without the necessity of having stockholders forward their present shares of new series common stock of Republic. Only full shares of the GPU stock will be delivered and holders entitled to fractional shares will receive registered Certificates of Interest in shares of GPU, $5 par value common stock, for such fractional shares; these Certificates of Interest may be accumulated in order to receive whole shares, and unless so accumulated and presented for whole shares shall expire by their terms at the end of six months after issuance, at which time Provident Trust Company of Philadelphia, Distribution Agent, shall sell the shares of GPU to which the remaining Certificates of Interest are entitled, and forward the cash proceeds to the holders of the Certificates of Interest as they appear on the records of Provident Trust Company of Philadelphia.

3. Republic will sell at private sale the remaining shares of GPU which it holds.

4. Republic will cause its wholly owned subsidiary, Republic Service Management Company, to dissolve and liquidate.

5. Republic will organize a new Pennsylvania Corporation ("Pennsylvania Corporation") with an authorized capital of 100,000 shares of $5 value common stock.

6. Republic will deliver all of its remaining assets, subject to all its liabilities, to Pennsylvania Corporation in exchange for the latter's 70,324 shares of $5 par value common stock, which in turn will be distributed to Republic's stockholders, on a share-for-share basis.

7. Republic will be dissolved.

The supplemental application having been filed on August 5, 1953, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said supplemental application within the time specified in said notice or otherwise, and not having ordered a hearing thereon, and the Commission having issued a memorandum Findings and Opinion regarding these proposed transactions;

It is therefore ordered, That said supplemental application, as amended, be, and hereby is, granted.

It is further ordered and recited, In view of the requirements of sections 371 (f) 1808 (f) and Supplement R of the Internal Revenue Code, as amended, that the following described transactions, proposed in said Supplemental Application Regarding an Amended Plan of Reorganization, are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and are necessary or appropriate to effectuate the integration or simplification of the holding company system of which Republic is a member:

1. Reclassification of the presently outstanding common stock of Republic from $10 par value to $5 par value and corresponding reduction of capital.

2. Organization of a new corporation under the laws of the Commonwealth of Pennsylvania, bearing the same name as Republic, having an authorized capital of 100,000 shares of Common Stock, par value of $5 per share.

3. Issue by the new Pennsylvania corporation to, and acquisition by, Republic of 70,324 shares of common stock of the par value of $5 per share.

4. Transfer by Republic of assets, subject to liabilities (actual and contingent) to the new Pennsylvania corporation, and the acquisition of assets and assumption of liabilities by the new Pennsylvania corporation; such assets include cash, accounts receivable and 33,500 shares of the common stock of Cumberland Valley Electric Company.

5. Distribution and transfer of 70,324 shares of common stock of the new Pennsylvania corporation to the holders of common stock of Republic, receipt thereof by such stockholders, and surrender of certificates for the 70,324 shares of Republic's common stock.

6. Dissolution of Republic Service Management Company.

7. Dissolution of Republic.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-9219; Filed, Oct. 30, 1953; 8:49 a. m.]

[File No. 70-2788]

COLUMBIA GAS SYSTEM, INC., ET AL.

ORDER AUTHORIZING TRANSFER BY SUBHOLDING COMPANY TO PARENT OF SECURITIES OF TWO PUBLIC-UTILITY SUBSIDIARIES AND ACQUISITION BY SUBHOLDING COMPANY OF ASSETS OF NON PUBLIC-UTILITY SUBSIDIARY

OCTOBER 27, 1953.

In the matter of the Columbia Gas System, Inc., Atlantic Seaboard Corporation, Amere Gas Utilities Company, Virginia Gas Distribution Corporation, Virginia Gas Transmission Corporation; File No. 70-2788.

The Columbia Gas System, Inc. ("Columbia") a registered holding company, Atlantic Seaboard Corporation ("Seaboard") a wholly owned subsidiary of Columbia, and a registered holding company, and its three wholly owned subsidiary companies, Amere Gas Utilities Company ("Amere") Virginia Gas Distribution Corporation ("Distribution"), and Virginia Gas Transmission Corporation ("Transmission"), having filed, under sections 6 (b) 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-42, U-43 and U-44 promulgated thereunder, a joint application-declaration and amendments thereto for approval of the following transactions:

Amere will declare a dividend to Seaboard in an amount equal to its earnings since September 30, 1946, retained in the business, if any, following which Seaboard will sell to Columbia for cash all of the outstanding securities of Amere. The purchase price will be the amount at which such securities are carried on the books of Seaboard immediately prior to the sale and such price will be the amount at which Columbia will record its investment in Amere. As of December 31, 1952, the underlying book value of such securities amounted to $3,383,490.46.

Distribution will declare a dividend to Seaboard in an amount equal to its earnings since September 30, 1946, retained in the business, which as of December 31, 1952 amounted to $11,072.47. Seaboard will sell to Columbia for cash all of the outstanding securities of Distribution. The purchase price will be the

amount at which such securities are carried on the books of Seaboard immediately prior to the sale and such price will be the amount at which Columbia will record its investment in Distribution. As of December 31, 1952, the underlying book value of such securities amounted to $3,070,669.93.

Columbia will purchase, at the par value thereof, such additional shares of common stock of Amere and Distribution, respectively, as may be required to provide funds in an amount equal approximately to the dividends to be declared by Amere and Distribution to Seaboard.

Seaboard will use the cash proceeds received from the sale of, and from the dividends declared by, Amere and Distribution to prepay a portion of Seaboard's outstanding 3¼ Percent Installment Notes owing to Columbia.

Transmission will declare a dividend to Seaboard in an amount equal to its earned surplus since September 30, 1946, which, as of December 31, 1952, amounted to $237,439.84. Seaboard as the owner of all of Transmission's outstanding securities will cause Transmission to be dissolved, will acquire all of Transmission's assets, and will assume all of Transmission's liabilities other than those to Seaboard. Seaboard will record the assets and liabilities at the respective amounts at which they are carried on the books of Transmission. As of December 31, 1952, the net plant and property of Transmission, represented to be stated at original cost, amounted to $11,699,906.58.

The application-declaration states that the primary purposes of the proposed transactions are to simplify the corporate structure of the Columbia system by eliminating the holding company status of Seaboard, to improve the latter's capital structure by payment of a portion of its indebtedness, and to achieve operating economies and greater operating efficiency.

Notice of the filing of said application-declaration having been given in the form and manner required by Rule U-23 promulgated under the act, and the Commission not having received a request for, and not having ordered, a hearing in respect of said application-declaration; and

It appearing that the acquisition of the assets and the assumption of the liabilities of Transmission by Seaboard, and the liquidation of Transmission have been approved by the State Corporation Commission of Virginia, the state commission of the state in which Transmission is organized and transacting its business; that the sale of such assets by Transmission and their acquisition by Seaboard have been approved by the Federal Power Commission under the Natural Gas Act of 1938; that the issuance and sale of common stock by Distribution has been approved by the State Corporation Commission of Virginia, the state commission of the state in which Distribution is organized and transacting its business; and that the issuance and sale of common stock by Amere has been approved by the Public Service Commission of West Virginia, the state commission of the state in which Amere is organized and transacting its business; and

It further appearing that the Commission, on November 30, 1944, issued an order (Holding Company Act Release No. 5455), under section 11 (b) (1) of the act, reserving jurisdiction, inter alia, in respect of the retainability by the Columbia system of certain companies, including Seaboard, Amere, Distribution, and Transmission; that based upon the record before the Commission at this time it is not manifest that such companies are not retainable by Columbia, such issue not having been resolved; that Columbia has stipulated that nothing contained in this order with respect to the proposed transactions shall be construed as a determination by the Commission of the retainability or non-retainability of Seaboard, Amere, Distribution, and Transmission; and

It also appearing that the fees and expenses, estimated at $3,162.16, including counsel fees of $2,000 and service company fees of $700, to be incurred and paid in connection with the proposed transactions are not unreasonable; and

The Commission finding that the proposed transactions are in accordance with the applicable standards of the act, and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate that said application-declaration, as amended, be granted and permitted to become effective without the imposition of terms and conditions, except as set forth below:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, subject to the provisions of Rule U-24, that said application-declaration, as amended, be, and it hereby is, granted and permitted to become effective, forthwith, and subject to the Commission's reservation of jurisdiction contained in the aforesaid order of November 30, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-9222; Filed, Oct. 30, 1953; 8:50 a. m.]

[File No. 70-3137]

UNITED GAS CORP. AND UNITED GAS PIPE LINE CO.

SUPPLEMENTAL ORDER REGARDING ISSUANCE AND SALE OF DEBENTURES AND CONCERNING FEES

OCTOBER 27, 1953.

The Commission by order dated October 14, 1953, having granted and permitted to become effective a joint application-declaration filed by United Gas Corporation ("United"), a gas utility subsidiary of Electric Bond and Share Company, a registered holding company, and by United's wholly-owned subsidiary, United Gas Pipe Line Company ("Pipe Line") concerning, among other things, the issuance and sale by United of $25,000,000 principal amount of its __ Percent Sinking Fund Debentures due 1973, pursuant to the competitive bidding requirements of Rule U-50, subject to a reservation of jurisdiction with respect to the results of competitive bidding under Rule U-50 and with respect to certain fees and expenses incurred or to be incurred in connection with the proposed transactions;

A further amendment to said application-declaration having been filed on October 27, 1953, setting forth the action taken to comply with the requirements of Rule U-50, and stating that pursuant to the invitation for competitive bids on the United Debentures, the following bids have been received:

Underwriting group	Coupon rate	Price to company	Annual cost of money
	Percent	*Percent*	*Percent*
Halsey, Stuart & Co. Inc....	3⅜	100.12000	3.7457
The First Boston Corp.....	3⅜	101.05559	3.7982
Morgan Stanley & Co.....	3⅜	101.01000	3.8024
White, Weld & Co.....			
Equitable Securities Corp..			
Harriman Ripley & Co., Inc.....	3⅜	100.67990	3.8260
Goldman, Sachs & Co.....			

Said amendment setting forth that United has accepted the proposal of the underwriting group headed by Halsey, Stuart & Co. Inc., as shown above, and further stating that said Debentures will be reoffered to the public at a price of 100.70 percent of the principal amount thereof, resulting in an underwriting spread of 0.57 percent and an aggregate spread of $142,500; and

The record also having been completed with respect to the fees and expenses to be incurred in connection with the proposed transactions, which fees and expenses are estimated in the aggregate amount of $147,500 for United and $20,000 for Pipe Line, including $15,000 to Baker, Botts, Andrews & Parish, and Reid & Priest, both firms being counsel to United, $6,000 accountants' fee to Haskins & Sells, $15,000 to Dillon, Reed & Co. Inc., for services as financial adviser to United in connection with its over-all financing program during the years 1952 and 1953, and $7,500 legal fee to Millbank, Tweed, Hope & Hadley, counsel for the purchaser, which fee is to be paid by the purchaser; and

The Commission observing no basis for adverse findings with respect to the results of competitive bidding or the fees and expenses to be paid in connection with the proposed transactions, and deeming it appropriate that said application-declaration, as amended, should be granted and permitted to become effective and that jurisdiction heretofore reserved should be released:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions contained in Rule U-24 that said application-declaration, as amended be, and the same hereby is, granted and permitted to become effective forthwith; and

It is further ordered, That jurisdiction heretofore reserved with respect to the results of competitive bidding and the payment of fees and expenses be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-9220; Filed, Oct. 30, 1953; 8:49 a. m.]

[File No. 70-3140]

COLUMBIA GAS SYSTEM, INC.

ORDER AUTHORIZING ISSUANCE AND SALE OF NOTES TO COMMERCIAL BANKS

OCTOBER 27, 1953.

The Columbia Gas System, Inc. ("Columbia") a registered holding company, having filed a declaration and an amendment thereto with this Commission pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act") regarding the proposed borrowing of not in excess of $25,000,000 from eleven commercial banks pursuant to letter agreements which provide, among other things, that the bank loans may be prepaid without premium at any time. The loans are to be evidenced by notes to be dated October 30, 1953, are to be due September 30, 1954, and are to carry an interest rate of 3¼ percent annually, which, it is stated, is the current prime rate.

The proceeds of the proposed bank loans are to be used to repay an outstanding issue of $25,000,000 of 3 percent Notes to banks which mature October 31, 1953.

Due notice having been given of the filing of the declaration and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration as amended be, and it hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-9221; Filed, Oct. 30, 1953; 8:49 a. m.]